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DATE: OCTOBER 25, 1976
TO: ALL HOLDERS OF ORDINANCE CODE
FROM: JACK K. POOL, CLERK, BOARD OF SUPERVISORS ✓
SUBJECT: AMENDMENTS TO ORDINANCE CODE - TITLE 8 ✓

Enclosed is a revision of the entire Title 8 of the Alameda County Ordinance Code. Please remove the entire Title 8 and insert the revised Title 8. This brings it up through October 12, 1976.

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ORDINANCE CODE

COUNTY OF ALAMEDA

TITLE 8

COUNTY PLANNING

Chapter 1 - Subdivisions

Chapter 2 - Part I
Zoning

Chapter 2 - Part II
Quarries and Sand and Gravel Pits


Chapter 1 - Subdivisions

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for Park and Recreational Purposes
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Article 1

General Provisions

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Article 1

General Provisions

(Entire Article 1 Amended by Ordinance 72-7)

- 6 8-1.0 Title: This ordinance shall be called the "Subdivision Ordinance of Alameda County".
- (Based on sec. 2, Ord. 72-7)
- 6 8-1.1 Purpose and Authority: This ordinance shall regulate land division within the unincorporated area of the County of Alameda pursuant to the Subdivision Map Act of the State of California.
- (Based on sec. 2, Ord. 72-7)
- 6 8-1.2 Intent: It is the intent of this Chapter to promote the public health, safety, and general welfare; to assure in the division of land consistency with the policies of the Alameda County General Plan and with the intent and provisions of the Alameda County Zoning Ordinance; to coordinate lot design, street patterns, rights-of-way, utilities and public facilities with community and neighborhood plans; to assure that areas dedicated for public purposes will be properly improved initially so as not to be a future burden upon the community; to preserve natural resources and prevent environmental damage; to maintain suitable standards to insure adequate, safe building sites; and, to prevent hazard to life and property.
- (Based on sec. 2, Ord. 72-7; amended by sec. 2, Ord. 74-17)
- 6 8-1.3 General Responsibilities: In addition to the specific responsibilities set forth herein, the following agencies and officers, or their duly authorized representatives, shall have the general responsibilities hereby designated:
- (a) The Alameda County Planning Commission is the advisory agency for all subdivisions, and shall make such investigations and take such actions as are necessary to accomplish the purpose and intent of this ordinance.
 - (b) The Planning Director is the advisory agency for all land divisions not subdivisions; and is responsible for analyzing the design of proposed land divisions, coordinating the processing of proposed land divisions with County departments and public agencies and reporting thereon to the Planning Commission and the Board of Supervisors.

- (c) The Director of Public Works, in addition to performing his duties as County Surveyor specified in the Subdivision Map Act, is responsible for reporting whether the proposed improvements are consistent with the design and improvement standards specified or referred to in this Chapter, for the inspection and ultimate approval of all such improvements, and for making recommendations on the granting of variances under section 8-5.6.
- (d) The County Health Officer is responsible for establishing requirements for water supply, sewage disposal, and advising upon other matters relating to land division affecting public health.
- (e) The Building Official is responsible for enforcing the provisions of this Chapter, except for such matters that are in the jurisdiction of the County Surveyor. For such purpose the Building Official shall have the powers of a police officer.

(Based on sec. 2, Ord. 72-7; amended by sec. 2, Ord. 74-17)

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8-1.4 Compliance.

- (a) No real property, or portion thereof, shown on the latest equalized County assessment roll as a unit or contiguous units and lying wholly or partially within the unincorporated portion of Alameda County shall be divided into two or more parcels for the purpose of sale, lease or financing, whether immediate or future, unless prior thereto a tentative map is acted upon and a final map or parcel map has been filed in accordance with the provisions of this ordinance, except for the cases of land division listed below for which the advisory agency finds that the proposed division of land complies with requirements as to area, improvement and design, flood and water drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and other requirements of this chapter. A tentative map is required but no parcel map or final map is required for the following cases of land division:
 - (1) The land division results in parcels that each are of an area of forty (40) acres or more or are quarter-quarter sections.
 - (2) The land division is for the purpose of adjustment of a boundary line or transfer of land between owners of two adjoining parcels which does not result in additional parcels.
 - (3) The land division results in four or less parcels and is for the purpose of leasing agriculturally zoned lands for cultivation or grazing uses for a period not exceeding ten years.
 - (4) The land division is for the purpose of leasing commercially or industrially zoned land for a period not exceeding five years.
 - (5) The land division is for the purpose of conveying one or more contiguous recorded parcels which were separate, legal building sites when acquired by the property owner.

(Based on sec. 2, Ord. 72-7; amended by sec. 2, Ord. 74-17; amended by sec. 1, Ord. 74-135)

8-1.5 Definitions:

- (a) All words and terms used in the Chapter shall have the same meaning as defined and used in the Subdivision Map Act.
- (b) "Land Division" means any land separated into two or more parts or parcels and includes in its meaning the term "sub-division".
- (c) "Land Divider" means any individual, firm, association, syndicate, co-partnership, corporation, trust, or any other legal entity causing a land division and includes in its meaning the term "subdivider".

(Based on sec. 2, Ord. 72-7)

Article 2

Tentative Maps

6	8-2.0	<u>Persons authorized to prepare.</u>
6	8-2.1	<u>Tract or Parcel Map Number.</u>
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Article 2

Tentative Maps

(Entire Article 2 Amended by Ordinance 72-7)

- 6 8-2.0 Persons authorized to prepare: All tentative maps of subdivisions and land division of five or more lots shall be prepared by a registered Civil Engineer or licensed Land Surveyor. All other tentative maps may be prepared by any person.

(Based on sec. 3, Ord. 72-7)

- 6 8-2.1 Tract or Parcel Map Number: The tract or parcel map number shall be assigned by and obtained from the County Recorder.

(Based on sec. 3, Ord. 72-7)

- 6 8-2.2 Filing: The time of filing shall be the time at which the prescribed number of copies of the tentative map in the form required and the filing fee are received by the Planning Director.

(Based on sec. 3, Ord. 72-7)

- 6 8-2.3 Fees: The fee for filing a tentative map of a subdivision is \$25, plus one dollar for each lot. The fee is \$25 for all other land divisions except the following for which no fee is required:

- (a) A land division in which each of the parcels is 40 acres or more in area or is a quarter-quarter section;
- (b) A land division for the purpose of adjustment of a boundary line or transfer of land between owners of two adjoining parcels which does not result in additional parcels;
- (c) A land division resulting in four or less parcels which is for the purpose of leasing agriculturally zoned land for cultivation or grazing uses for a period not exceeding 10 years.

No additional fee is required for filing revisions of the tentative map prior to action by the advisory agency.

(Based on sec. 3, Ord. 72-7; repealed by sec. 1, Ord. 74-16)

- 6 8-2.4 Form: The form of the tentative map and the number of copies required for filing shall be as prescribed by the Planning Commission, except that the Planning Director may authorize deletion or reduction of map requirements on the determination that the map contains sufficient information to be evaluated adequately and preparing it in the prescribed form would impose an unusual hardship upon the land divider.

(Based on sec. 3, Ord. 72-7)

- 6 8-2.5 Data and Material to Accompany Filing. For any subdivision and, when required by the advisory agency, for any land division that is not a subdivision, the tentative map shall include:

- (a) A grading plan prepared by a Civil Engineer registered by the State of California.
- (b) A soil erosion and siltation control plan for both construction and post-construction periods prepared by the Civil Engineer, or, with respect to the soil erosion control provisions, by a Landscape Architect registered by the State of California.
- (c) A preliminary soils investigation report prepared by a soils engineer who is a Civil Engineer registered by the State of California.
- (d) A report evaluating the geological conditions present, prepared by a Geologist certified in Engineering Geology by the State of California.

Additional soils and geological data may be required by the Planning Director when deemed necessary due to the scale of the proposed grading or the presence of potentially hazardous or environmentally sensitive conditions.

(Based on sec. 3, Ord. 72-7; amended by sec. 2, Ord. 74-17)

- 6 8-2.6 Action: Subdivisions: The advisory agency shall approve, conditionally approve, or disapprove tentative maps of subdivisions.

(Based on sec. 3, Ord. 72-7)

- 6 8-2.7 Action: Land Divisions Not Subdivisions: The advisory agency shall approve, conditionally approve, or disapprove tentative maps of land divisions not subdivisions within 20 days after their filing. Conditions of approval may include dedications or offers of dedication, and the improvement of public and private streets, highways or easements as may be necessary for local traffic, drainage, and sanitary needs, except that in the following cases only those conditions shall be imposed as necessary to bring the proposed lots into conformance with the requirements of the Zoning District in which the division is located:

- (a) The land division results in parcels that each are of an area of forty (40) acres or more or are quarter-quarter sections.

- (b) The land division is for the purpose of adjustment of a boundary line or transfer of land between owners of two adjoining parcels which does not result in additional parcels.
- (c) The land division results in four or less parcels and is for the purpose of leasing agriculturally zoned land for cultivation or grazing uses for a period not exceeding 10 years.
- (d) The land division results in four or less parcels and is for the purpose of leasing commercially or industrially zoned land for a period not exceeding 5 years.

(Based on sec. 3, Ord. 72-7; amended by sec. 2, Ord. 74-17)

- 6 8-2.8 Conformance to Alameda County Ordinance: No tentative map shall be approved which is not in conformance with the provisions of this Chapter, the Alameda County Zoning Ordinance and any other ordinance of Alameda County.

(Based on sec. 3, Ord. 72-7)

6 8-2.9 APPEALS.

- (a) The Planning Commission shall be the Appeal Board of actions in which the Planning Director is designated the Advisory Agency.
- (b) As used herein, the term "interested person adversely affected" means any County department or agency or any person claiming that the decision is likely to result in personal economic loss or damage to his property.
- (c) Within fifteen (15) days after action, the subdivider may appeal from any action of the Planning Director to the Planning Commission and any action of the Planning Commission to the Board of Supervisors. The Planning Director also may appeal any action of the Planning Commission acting as the appeal board. Appeals to the Planning Commission shall be submitted in writing to the County Planning Department and appeals to the Board of Supervisors shall be submitted in writing to the Clerk of the Board. Said appeals shall reference the tentative map number and shall state fully the nature and extent of the appeal and the reasons why it is taken. Such appeal and the hearing thereon shall be conducted in the manner provided by the Government Code Section 66452.5(a) and (b) and subsection (f) of this section.
- (d) Any interested person adversely affected by a decision of the Advisory Agency or Appeal Board may file a complaint on a form to be provided by the County Planning Department with the Clerk of the Board of Supervisors concerning such decision. Any such complaint shall be filed with the Clerk within fifteen (15) days after the action which is the subject of the complaint. The Board of Supervisors may, in its discretion, reject the complaint within fifteen (15) days or set the matter for public hearing. If the Board rejects the complaint, the complainant shall be notified of such action by the Clerk of the Board of Supervisors.
- (e) Any interested person may appeal any decision of the Advisory Agency or Appeal Board relative to the provisions of Government Code Sections 66473.5, 66474, 66474.1 and 66474.6 to the Board of Supervisors. Such appeal and the hearing thereon shall be conducted in the manner provided by Government Code Section 66452.5(a) and (b) and subsection (f) of this section.

- (f) Whenever a public hearing is held pursuant to this section, it shall be conducted as required by Government Code Section 66451.3. Notice of the time and place thereof, and a general description of the location of the proposed subdivision shall be given at least ten (10) days before the hearing by publication once in a newspaper of general circulation and published and circulated in the County of Alameda. Any interested person may appear at such hearing and shall be heard.

(Based on sec. 3, Ord. 72-7; Amended by sec. 1, Ord. 75-49)

- 6 8-2.10 Time for Action or Report: Any of the time limits for action or report may be extended by mutual consent of the land divider and the advisory agency. Failure of the advisory agency on appeal board to act within the time limits specified herein shall be remedied as specified in the Subdivision Map Act for inaction on tentative maps of subdivisions.

(Based on sec. 3, Ord. 72-7)

- 6 8-2.11 Effective Period. The approval of a tentative map shall be effective for two and a half years, or for such shorter period as may be specified by the advisory agency in approving the tentative map. Upon application of the land divider during the effective period, an extension of the effective period not exceeding two years may be granted by the Planning Director, who is designated the advisory agency for this purpose, upon the determination that circumstances under which the map was approved have not changed to the extent which would warrant a change in the design or improvement of the tentative map. The Planning Director shall take action on applications for time extension within ten working days after receipt.

(Based on sec. 3, Ord. 72-7; amended by sec. 1, Ord. 76-67)

Article 3

Design

6	8-4.0	<u>General Requirements.</u>
6	8-5.0	<u>Street Alignment.</u>
6	8-5.1	<u>Street and Alley Grades and Widths.</u>
6	8-5.4	<u>Blocks.</u>
6	8-5.5	<u>Lots.</u>
6	8-5.5.1	<u>Grading.</u>
6	8-5.5.2	<u>Erosion and Siltation Control.</u>
6	8-5.6	<u>Advisory Agency may authorize exceptions.</u>

Article 3

Design

(Entire Article 3 Amended by Ordinance 72-7)

- 6 8-4.0 General Requirements: In addition to meeting the specific requirements of the article the design of land division shall, to the satisfaction of the advisory agency, conform to the land use and circulation policies of the Alameda County General Plan and its component elements and any other officially adopted specific plan or land development policy, and shall conform to the Alameda County Zoning Ordinance, officially adopted standards for streets and roads, grading, erosion and siltation control, seismic safety, and design standards adopted by the utility, fire protection, sanitary and flood control districts in which the land division is located. The size and alignment of streets and walks and the location and configuration of sites for lots, schools, parks and similar facilities shall be coordinated with the anticipated requirements of the future population, the physical characteristics of the land, and the environmental requirements of the surrounding community to produce an optimum human habitat.

(based on sec. 4, Ord. 72-7; amended by sec. 2, Ord. 74-17)

- 6 8-5.0 Street Alignment: The center lines of all streets and highways which are to be extended shall be the continuation of the center lines of existing streets and highways in adjacent and contiguous territory. In cases in which the straight continuations are not desirable, the center lines may be continued by curves tangent at the intersection with the boundaries of the proposed land division to the center lines of existing streets or highways.

(Based on sec. 4, Ord. 72-7)

- 6 8-5.1 Street and Alley Grades and Widths:

- (a) Grades of all streets and alleys shall be established so that the land division is properly drained and shall conform as nearly as possible to the natural topography of the property.
- (b) Where a land division adjoins acreage, provision may be made for reasonable future access to the acreage.

- (c) The widths of streets shall be based on the width of streets of which they are a continuation.
- (d) Minimum right-of-way widths of streets which are to be accepted into the County Road System shall be forty feet (40'). Easements for construction and maintenance of slopes in excavation or embankments outside the limits of street dedications may be required where topographical conditions make easements desirable.

(based on sec. 4, Ord. 72-7)

6 8-5.4 Blocks:

- (a) Blocks shall not exceed one thousand three hundred and fifty feet (1,350') in length unless the previous adjacent layout or topographical conditions or the special design of the particular subdivision justify a variation from this requirement. Long blocks shall be provided adjacent to main thoroughfares, in order to reduce the number of intersections.
- (b) Pedestrian ways ten feet (10') in width may be required through the middle of blocks over one thousand feet (1000') in length to connect dead end streets, or to provide access to parks, schools, shopping centers or other similar facilities.
- (c) At street intersections the block corners shall be rounded at the property line by a curve to provide at least one hundred feet (100') sight distance diagonally between two (2) vehicles approaching the corner on intersecting street center lines; the radius of the curve shall be not less than twenty feet (20').

(Based on sec. 4, Ord. 72-7)

6 8-5.5 Lots:

- (a) Lots shall be designed to meet or exceed the minimum standard for area, median lot width, and effective lot frontage specified for the Alameda County Zoning Ordinance for the zoning district in which the land division is located.
- (b) Lots, and the grading thereof, shall be of a size and shape to accommodate the uses that reasonably could be expected to occur under existing zoning with consideration given to the limitations of topography and soil conditions, and the need for providing access, privacy and preserving natural features of significance.

(Based on sec. 4, Ord. 72-7; amended by sec. 2, Ord. 74-17)

- 6 8-5.5.1 Grading. Cuts and fills shall be designed to conform with the intent, general requirements and lot design requirements of this chapter and shall be consistent with the recommendations contained in the preliminary soils investigation report and the report evaluating the geological conditions present. Slopes of cut and fill surfaces shall not exceed two (2) horizontal to one (1) vertical; however, slopes shall not be steeper than is safe for the intended use.

(Based on sec. 1, Ord. 74-17)

6 8-5.5.2 Erosion and Siltation Control.

- (a) Slopes: The faces of cut and fill slopes shall be prepared and maintained to control against erosion.
- (b) Debris Basins: Debris basins shall be installed whenever and wherever necessary to protect the subdivision and the properties below the subdivision from erosion and siltation.
- (c) Temporary Debris Basins: Temporary debris basins shall be installed prior to commencing grading operation and shall be maintained until the erosion and siltation control measures have been installed and are fully effective.
- (d) Erosion and siltation control measures shall be consistent with the recommendations contained in the preliminary soils investigation report and the report evaluating the geological conditions present.

(Based on sec. 1, Ord. 74-17)

- 6 8-5.6 Advisory Agency May Authorize Exceptions. The advisory agency may, in the exercise of reasonable judgement, grant variances to the requirements of this chapter for water and sewage disposal system improvements for land divisions which are not subdivisions, for street alignment, grades, widths, lengths, block design, median lot width, and effective lot frontage, and to all subjects referred to in Sections 8-5.5.1 and 8-5.5.2 as it determines warranted by topographic limitations or soil or geological conditions, the opportunity for more effective and desirable land utilization, or the showing that under the particular circumstances an alternate standard would meet or surpass the intent of the given requirement.

(Based on sec. 4, Ord. 72-7; amended by sec. 1, Ord. 73-26; amended by sec. 2, Ord. 74-17)

Article 4

Improvements

- 6 8-7.0 Duty of Land Divider to Improve Streets.
- 6 8-7.1 Required Improvements, Inclusions: The required improvements shall include:
- 6 8-7.2 Standards for Improvements.
- 6 8-7.3 Inspection by County Surveyor.
- 6 8-7.4 Cost of Inspection.
- 6 8-7.5 Deposit to cover cost of Inspections: under deposit: over deposit.
- 6 8-7.6 Agreement between County and land divider for improvement of streets and easements: bonds required.
- 6 8-7.7 Same: terms of.
- 6 8-7.8 Fire hydrants: when required: standards.

Article 4

Improvements

(Entire Article 4 Amended by Ordinance 72-7)

- 6 8-7.0 Duty of Land Divider to Improve Streets, Etc.: The land divider may be required to improve all streets, highways, public ways and easements which are a part of the land division except in the case of divisions referred to in sub-sections a, b, and c of Section 8-2.7 and except those dedications reserved for future improvements. In the case of a parcel map the land divider shall record such dedication, or offer of dedication, prior to filing of said parcel map.

(Based on sec. 5, Ord. 72-7)

- 6 8-7.1 Required Improvements, Inclusions: The required improvements shall include:

- (a) Grading and surfacing of streets, highways and public ways, and the drainage thereof.
- (b) The grading of the lots and the drainage thereof as may be required by the design of the approved tentative map.
- (c) The construction and installation of debris basins and the installation of erosion and siltation control measures as may be necessary to control erosion and siltation.
- (d) For any subdivision: Domestic water supplied by a public utility subject to regulation by the Public Utilities Commission of the State of California or by a public agency authorized to levy taxes for such purposes which has consented in writing to provide such water. For all other land divisions: A water supply of the extent required above for a subdivision, or to any lesser extent as may be determined by the Health Officer as sufficient to protect the public health, considering the uses and intensity of development permitted in the area of the land division.
- (e) For all land divisions having lots less than 40,000 sq. ft.: A sanitary sewer system and sewage disposal works serving each lot administered by a public agency authorized to levy taxes for such purposes, which agency has consented in writing to provide such service. For any other land division: A sewage disposal system of such extent as may be determined by the Health Officer as sufficient to protect the public health, considering the uses and intensity of development permitted in the area of the land division.
- (f) Construction of such structures as may be necessary for the use of the streets and highways, for local neighborhood drainage and for public safety.

(Based on sec. 5, Ord. 72-7; amended by sec. 2, Ord. 74-17)

- 6 8-7.2 Standards for Improvements: Except as provided in section 8-7.8 of this article, all improvements shall be constructed in accordance with standard engineering practice and in accordance with plans and specifications approved by the Board of Supervisors.

(Based on sec. 5, Ord. 72-7)

- 6 8-7.3 Inspection by County Surveyor: The County Surveyor shall have the right to enter upon the site of the work for the purpose of inspecting the same and shall be furnished with samples of materials as he may require for the making of tests to determine the acceptability of the materials.

(Based on sec. 5, Ord. 72-7)

- 6 8-7.4 Cost of Inspection: The land divider shall pay to the County the actual cost for the inspection of the work and checking materials.

(Based on sec. 5, Ord. 72-7)

- 6 8-7.5 Deposit to cover cost of Inspections: under deposit: over deposit: When the final map is presented to the Board of Supervisors the land divider shall give evidence that he has deposited with the County Treasurer a sum in the amount estimated by the Director of Public Works as being sufficient to cover the costs of inspection and tests. If the amount so deposited exceeds the actual cost to the County, the land divider shall be reimbursed for the balance remaining. If the actual cost exceeds the deposited amount, the County shall stop all construction until the land divider presents a receipt for a deposit with the County Treasurer of an additional sum as estimated by the Director of Public Works.

(Based on sec. 5, Ord. 72-7)

- 6 8-7.6 Agreement between County and land divider for improvement of streets and easements: bonds required. In the event an agreement for the improvement of streets or easements, secured by a faithful performance bond or deposit, is entered into between the county and the land divider, the contract must also be secured by a good and sufficient surety bond in the form and in an amount required by law on bonds or public contracts and by its terms made to inure to the benefit of laborers and material men for labor or material performed or rendered under the terms of the contract.

(Based on sec. 5, Ord. 72-7)

- 6 8-7.7 Same: terms of: The contract must also specify the time within which the work must be completed and must also specify that should the work not be satisfactorily completed within the time limit, the County shall complete all specified improvements and be completely reimbursed therefore by the owners or owner of the land division. The contract may provide for the improvements to be

installed in units, for extension of time under specified conditions or for the termination of the contract upon a reversion of the division of land or a part thereof to acreage.

(Based on sec. 5, Ord. 72-7)

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8-7.8 Fire hydrants: when required: standards: In case of a land division included in a fire district the land divider shall install water mains, fire hydrants, gated connections and appurtenances to provide water supply for fire protection in conformance with standards, if any, established by the fire district, and where no such standards have been established by the fire district, or where a land division is not included in a fire district, the land divider shall make such installations in conformity with the latest standards established by the Insurance Services Office. All such installations shall be included in the contract and bonds required of the land divider pursuant to this Chapter and the Subdivision Map Act.

(Based on sec. 5, Ord. 72-7; amended by sec. 2, Ord. 74-17)

Article 4.1

- 6 8-8.0 Intent.
- 6 8-8.1 Utility Distribution Facilities to be Placed Underground.
- 6 8-8.2 Duty of Land Divider.
- 6 8-8.4 Request for Variance.
- 6 8-8.5 Action by the Advisory Agency.

Article 4.1

(Entire Article 4.1 Amended by Ordinance 72-7)

- 6 8-8.0 Intent: The regulations of this Article are intended to promote and to provide in land divisions improved under the provisions of this chapter an increase in safety and welfare for both the residents of such land division and the public in general, and to prolong the economic life of land divisions, enhance views, scenic attributes and the general living environment.

(Based on sec. 6, Ord. 72-7)

- 6 8-8.1 Utility Distribution Facilities to be Placed Underground: All utility distribution facilities supplying electric, communication or similar or associated services, installed in and for the purpose of supplying such service to any residentially zoned subdivision shall be placed underground. Underground utility distribution facilities as herein described may be required by the advisory agency for any other land division not in the A Zoning District. Distribution facilities do not include metal poles used for street lighting, traffic signals, pedestals for police and fire system communications and alarms, pad-mounted transformers pedestals, pedestal mounted terminal boxes and meter cabinets, substations, and facilities used to carry voltages higher than thirty-five thousand (35,000) volts.

(Based on sec. 6, Ord. 72-7)

- 6 8-8.2 Duty of Land Divider: The land divider is responsible for complying with all the requirements of this Article, and shall make the necessary arrangements with the utility companies involved for the installation of the facilities required by Section 8-8.1 of this Article.

(Based on sec. 6, Ord. 72-7)

- 6 8-8.4 Request for Variance: The land divider or a public utility company may request that the requirements of this Article be varied by submitting to the Advisory Agency prior to action on the tentative map a statement describing fully the nature and extent of such variance, and the reasons for which it is requested.

(Based on sec. 6, Ord. 72-7)

8-8.5 Action by the Advisory Agency: The Advisory Agency upon consideration of a request to vary the requirements of this Article, and upon finding from the evidence presented that a balancing of the requirements of the public health, safety and general welfare with the feasibility of meeting such requirements does not warrant the strict application of the requirements of this Article, by reason of economic feasibility, soil, topography, compatibility of surrounding area, future potential number of building sites affected, or that the area to be undergrounded does not include both sides of the street for at least one block or 600 feet, may grant a variance in its approval of the tentative map for installing overhead distribution facilities. The Advisory Agency in making the above finding to grant variances to the requirements of this Article shall designate such conditions in connection therewith as will in its opinion best serve the intent of this article.

(Based on sec. 6, Ord. 72-7)

Article 5

Surveys and Monuments

- 6 8-9.0 Accuracy required.
- 6 8-9.1 Ties to system of coordinates established by County Surveyor.
- 6 8-9.2 Ties to center lines established by County Surveyor.
- 6 8-9.3 Permanent monuments: to be set by County Surveyor or
engineer.
- 6 8-9.4 Same: requirements for.
- 6 8-9.5 Same: time for setting: bond.
- 6 8-9.6 Same: inspection and approval.

Article 5

Surveys and Monuments

- 6 8-9.0 Accuracy required: An accurate and complete boundary closure shall be made of the land to be divided. A traverse of the exterior boundaries of the tract or parcel and of each block and lot or parcel when computed, must close within a limit of error of 0.015 of a foot in latitude and/or departure. Interior monumentation will be field checked to an accuracy of 0.01 of a foot per 100 feet and angle measurement to 20" of angle.

(Based on 1st para., sec. 8, Ord. 392; amended by sec. 7, Ord. 72-7)

- 6 8-9.1 Ties to system of coordinates established by County Surveyor. Whenever the County Surveyor has established a system of coordinates, the survey shall be tied into the established system.

(Based on sec. 8, 2nd para., Ord. 392)

- 6 8-9.2 Ties to center lines established by County Surveyor. Whenever the County Surveyor or a city engineer has established the center line of a street or alley, ties shall be made to that center line and any monument or reference point thereon.

(Based on 3rd para., sec. 8, Ord. 392)

- 6 8-9.3 Permanent monuments: to be set by County Surveyor or engineer. The engineer or Surveyor shall set permanent monuments in the street areas, located so as to define the street lines bounding each block. Due consideration shall be given to visibility of monuments, one from another, for the purposes intended.

(Based on 4th para., sec. 8, Ord. 392)

- 6 8-9.4 Same: requirements for. Permanent monuments shall be firmly set and shall be not less substantial than concrete posts six inches (6") in diameter by thirty inches (30") in length set flush with the ground, with the survey point accurately marked by

a copper dowel not less than two and one-half inches (2-1/2") long firmly imbedded. Where monuments are set in improved streets or highways, the top shall be at least six inches (6") below grade with a cast iron cover set flush with the finished grade and supported independently of the monument.

(Based on 5th para., sec. 8, Ord. 392)

- 6 8-9.5 Same: time for setting: bond. Exterior boundary monuments may be set before or after approval of the final map or parcel map and interior monument, if any, not later than the time of completion of improvements, if a cash deposit or approved bond in an amount set by the Director of Public Works is filed with the County guaranteeing the work.

(Based on 6th para., sec. 8, Ord. 392; amended by sec. 7, Ord. 72-7)

- 6 8-9.6 Same: inspection and approval. All monuments shall be subject to inspection and approval by the County Surveyor.

(Based on 7th para., sec. 8, Ord. 392)

Article 6

Final Map

- 6 8-11.0 Title: sub-title.
- 6 8-11.1 Sub-title: descriptions.
- 6 8-11.2 Reversion to acreage: designation.
- 6 8-11.3 Lands for private use: for public use: designations.
- 6 8-11.4 Lands for public use: dedication: offer of.
- 6 8-11.5 Line of higher high water: designation.
- 6 8-11.6 Tract: how shown.
- 6 8-11.7 Blocks and lots: designation: all on one sheet.
- 6 8-11.8 Streets: monuments: side lines: widths.
- 6 8-11.9 Easements: descriptions.
- 6 8-11.10 Street names: approval by Planning Commission: designations.
- 6 8-11.11 Filing.
- 6 8-11.12 Data and material to accompany filing.
- 6 8-11.13 Fees payable: Evidence of payments to County Surveyor.
- 6 8-11.14 Record of Survey Map.
- 6 8-11.15 As-built Drawings and Declaration.

Article 6

Final Map

- 6 8-11.0 Title: sub-title. The title sheet of the final map shall contain the title, consisting of the tract number to be assigned by the County Recorder, and such other descriptive matter as may be necessary, but no commercial name or title shall appear on the final map as a tract designation. Below the title shall appear a sub-title consisting of a general description of all the property being subdivided by reference to recorded deeds or to maps which have been previously recorded or by reference to the plat of a United States Survey. In case the property included within the subdivision lies wholly in unincorporated territory, the following words shall appear below the title: "in unincorporated territory in the County of Alameda", or if partly in unincorporated territory and partly within an incorporated city, the following words shall be used: "partly in the City of _____ and partly in unincorporated territory of the County of Alameda".

(Based on 1st para., sec. 9, Ord. 392.)

- 6 8-11.1 Sub-title: descriptions. Reference to tracts and subdivisions in the description must be worded identically with original records and references to book and page of record must be complete. Every sheet comprising the map shall bear the tract number, scale, north point, legend, sheet number and number of sheets comprising the map. Below the title shall be clearly noted the basis of bearing for the survey.

(Based on 2nd para., sec. 9, Ord. 392.)

- 6 8-11.2 Reversion to acreage: designation. Maps filed for the purpose of reverting subdivided land to acreage shall be conspicuously so designated with the title "The Purpose of this Map is a REVERSION TO ACREAGE".

(Based on 3rd para., sec. 9, Ord. 392.)

- 6 8-11.3 Lands for private use: for public use: designations. The final map shall particularly define, delineate and designate all lots intended for sale or reserved for private purposes; all parcels offered for dedication for any purpose, public or private, and any private streets, with all dimensions, boundaries and courses clearly shown and defined in every case. Dimensions of lots shall be given as the net dimensions to the boundaries of adjoining streets. No

ditto marks shall be used. Parcels offered for dedication but not accepted shall be designated by letter, and private streets offered, but not accepted for dedication shall have inserted the words, "not a Public Street".

(Based on 4th para., sec. 9, Ord. 392.)

- 6 8-11.4 Lands for public use: dedication: offer of. All parcels of land shown on any final map and intended for any public use shall be offered for dedication for public use except those parcels, other than streets, which are intended for the exclusive use of the lot owners in the subdivision, their licensees, visitors, tenants and servants.

(Based on 5th para., sec. 9, Ord. 392.)

- 6 8-11.5 Line of higher high water: designation. The final map shall show the line of higher high water in case the subdivision is adjacent to tidewater.

(Based on 6th para., sec. 9, Ord. 392.)

- 6 8-11.6 Tract: how shown. The final map shall be clearly and legibly drawn in black waterproof India ink upon good tracing cloth, except that affidavits, certificates and acknowledgments may be legibly stamped or printed upon the map with opaque ink. The boundary of the tract shall be designated by a one-sixteenth inch (1/16") border of Prussian blue water color applied on the reverse side of the tracing and on the face of the blue line prints and inside the boundary line. The border shall not obliterate figures or other data.

(Based on 7th para., sec. 9, Ord. 392; Amended by sec. 1, Ord. 29 N.S.)

- 6 8-11.7 Blocks and lots: designation: all on one sheet. In tracts containing more than one (1) block, blocks shall be numbered or lettered in numerical order or alphabetical order, commencing with the numeral "1" or the letter "A", with no omissions or duplications. Lot numbers shall begin with the number "1" in each block, and shall continue consecutively with no omissions or duplications. Circles, squares or other geometrical figures shall not be drawn around letters or numbers. If possible, each block shall be shown entirely on one (1) sheet; each lot must be shown entirely on one (1) sheet.

(Based on 8th para., sec. 9, Ord. 392.)

- 6 8-11.8 Streets: monuments: side lines: widths. The final map shall show the monument lines and side lines of all streets, the total width of all streets, the width of the portion being dedicated

and the width of existing dedication, and the widths each side of the monument line, also the width of railroad rights of way appearing on the map.

(Based on 9th para., sec. 9, Ord. 392)

- 6 8-11.9 Easements: descriptions. The final map shall show the side lines of all easements to which the lots are subject. Easements must be clearly labeled and identified and if already of record, the recorded reference given. If any easement of record is not definitely located, a statement of the easement must appear on the title sheet. The width of the easement and the lengths and bearings of the lines thereof and sufficient ties thereto to definitely locate the easement with respect to the subdivision must be shown. If the easement is being dedicated by the map, it shall be properly set out in the owner's certificate of dedication.

(Based on 10th para., sec. 9, Ord. 392)

- 6 8-11.10 Street names: approval by Planning Commission designations. In order to avoid duplication, names to be used for new streets shall be subject to the approval of the County Planning Commission. If any designation be numbers, they shall be spelled out completely, using hyphens in such forms as "Twenty-Third Street". The words: "Avenue", "Boulevard", "Place", etc., shall be spelled out in full.

(Based on 11th para., sec. 9, Ord. 392)

- 6 8-11.11 Filing: A final map may be filed with the County Recorder during the effective period of the tentative map pursuant to section 8-2.11 and shall be submitted to the Director of Public Works for checking and approval at least two (2) weeks prior to the meeting of the Board of Supervisors at which approval is expected.

(Based on first part, 1st para., sec. 10, Ord. 392; amended by sec. 1, Ord. 992 N.S.; amended by sec. 8, Ord. 72-7)

- 6 8-11.12 Data and Material to Accompany Filing. The final map shall be accompanied by the following data and material, provided by the Subdivider or his agent:

(a) A traverse sheet or sheets in a form approved by the County Surveyor giving latitudes and departures and coordinates of the boundary of the subdivision and blocks therein.

(b) Plans, cross-sections, profiles and specifications of the street improvements and such drawings and specifications as the County Surveyor may require, of any necessary structures; the plans and drawings shall be drawn to a scale and in the forms specified by the County Surveyor.

(c) Plans, cross-sections, profiles, specifications and other substantiating data as the County Surveyor may require of the grading, drainage structures, and erosion and siltation control measures or structures.

(d) A statement of the water supply installed or available for the subdivision, including information as to the source and adequacy of the supply.

(e) A statement of the sewerage works disposal installed, proposed or available for the subdivision, together with a statement from the County Health Officer that the proposed system will comply with all Health Department rules and regulations and state laws and operate without creating a public or private nuisance, but no statement shall be required where the subdivision is to be sewerred by connection to an existing public sanitary sewer system.

(f) In addition to the tracings of the final map, there shall be filed three (3) sets of blue line paper prints and one (1) set of blue line cloth prints, all containing original signatures.

(Based on sec. 10, (a) (b) (c) (d) (f), Ord. 392; Subdivision (e) amended by sec. 1, Ord. 302 N.S.; Subdivision (d) amended by sec. 3, Ord. 1009 N.S.; amended by sec. 2, Ord. 74-17)

6 8-11.13 Fees payable: Evidence of payments to County Surveyor.

The subdivider shall pay to the County for the purpose of checking, investigating, surveying, and other matters required by law and these regulations, the sum of fifty dollars (\$50.00) as a fee and in addition shall pay to the County the actual cost of the checking of the map, plans and specifications, and investigations incidental thereto.

When the final map is presented to the County Surveyor, the subdivider shall give evidence to the County Surveyor that he has deposited with the County Treasurer the sum of fifty dollars (\$50.00) and an additional amount computed on the basis of one dollar (\$1.00) for each lot shown on the map or one hundred dollars (\$100.00), whichever is greater. The amount of one dollar (\$1.00) per lot or one hundred dollars (\$100.00), whichever is greater, is intended as an estimate of the cost of checking. If the amount so deposited exceeds the actual cost to the County, the subdivider shall be reimbursed for the balance remaining. If the actual cost exceeds the deposited amount, the County Surveyor shall withhold certification of the map until the subdivider presents a receipt for the deposit of the excess amount.

(Based on sec. 10 (g), Ord. 392; Amended by sec. 1, Ord. 302 N.S.)

6 8-11.14 Record of Survey Map.

(a) Record of survey map of a division of land but not of a subdivision. In case of a Record of Survey Map covering any division of land specified in the Subdivision Map Act as not being included in the definition of a "Subdivision" as set forth therein, a preliminary record of survey map of such division of land shall

first be filed with the Planning Commission. The Planning Commission shall report to the Board of Supervisors on such map on those matters with respect to such division of land which fall within the jurisdiction of said Board as specified in said Act. The Board of Supervisors shall within ten (10) days after receipt of such report, or otherwise at its next regular meeting, act on such map by resolution in such matters.

(b) Record of survey maps or land surveyor's maps, not a division of land. Record of Survey Maps or Land Surveyor's Maps, as made by a licensed land Surveyor or civil engineer, not made for the purpose of land subdivision but for the sole purpose of establishing boundaries of properties already of record shall be submitted to the County Surveyor for examination. Such maps as defined in this paragraph do not require the filing of a tentative map.

(c) Data and material to accompany filing. The final map in each category shall be accompanied by applicable data required in Section 8-11.12 of this article.

(Based on sec. 12, Ord. 392; Amended by sec. 2, Ord. 302 N.S.)

6 8-11.15 As-built Drawings and Declaration. After construction of the subdivision has been completed, the subdivider shall provide as-built drawings in the form required by the County Surveyor prepared by a Civil Engineer registered by the State of California showing the subdivision as it has been completed. For all areas of the subdivision, except those areas within County Road rights-of-way and other public lands or easements to be accepted by the County, the Civil Engineer shall provide in the form required by the County Surveyor a declaration that all construction and improvement works have been completed in accordance with the approved plans and specifications and this ordinance.

(Based on sec. 1, Ord. 74-17)

Article 6.1

Dedication and/or Reservation of Lands
for Park and Recreational Purposes
Pursuant to Section 11546
of the Business and Professions Code
of the State of California

6	8-12.0	<u>Definitions.</u>
6	8-12.01	<u>Requirement.</u>
6	8-12.02	<u>Limitations.</u>
6	8-12.03	<u>Parks Principles and Standards.</u>
6	8-12.04	<u>Standards for Dedication.</u>
6	8-12.041	<u>Credit for Private Park and Recreation Facilities.</u>
6	8-12.05	<u>Amount of Fee in Lieu of Land Dedication.</u>
6	8-12.06	<u>Advisory Agency Procedure.</u>
6	8-12.07	<u>Validity.</u>

Article 6.1

Dedication and/or Reservation of Lands
for Park and Recreational Purposes
Pursuant to Section 11546
of the Business and Professions Code
of the State of California

6 8-12.0 Definitions. The following definitions used in this Article shall apply thereto unless the context clearly indicates otherwise:

- (a) "Board" means the Board of Supervisors of the County of Alameda, State of California.
- (b) "Advisory Agency" means the Planning Commission of the County of Alameda, State of California.
- (c) "Planning Director" means the Planning Director of the County of Alameda, State of California.
- (d) "Local Agency" means the Valley Community Services District, the Hayward Area Recreation and Park District, and the Livermore Area Recreation and Park District, whichever may be appropriate in the context of a given subdivision.
- (e) "Neighborhood" means the area served by a single elementary school.
- (f) "Community" means the area served by a single high school.

(Based on sec. 1, Ord. 68-84)

6 8-12.01 Requirement. Each subdivider of land classified by the Alameda County Zoning Ordinance for residential use shall as a condition to the approval of a final subdivision map dedicate or reserve lands, pay fees in lieu thereof, or a combination of both, for park and/or recreational purposes. Dedication and/or fee requirements shall be accomplished by conveying to the County of Alameda said lands by a duly recorded legal instrument, upon approval of the final map, and/or the deposit of such fees into a special county fund established for this purpose, as the Board of Supervisors shall have determined in accordance with the limitations, park principles and standards enumerated hereafter.

(Based on sec. 1, Ord. 68-84)

6 8-12.02 Limitations.

- (a) The land, fees, or combination thereof are to be used only for the purpose of providing park or recreational facilities which serve future residents of such subdivision.
- (b) Only the payment of fees may be required in subdivisions containing fifty (50) parcels or less.
- (c) The Board of Supervisors in agreement with the appropriate local agency, shall specify at the time of approval of the final subdivision map when development of park or recreational facilities will begin.

- (d) All land so dedicated or fees paid shall be held in trust by the County of Alameda until the proper local agency can assume responsibility for administering such sites and meet the conditions imposed by the Board of Supervisors with regard to such land or fees. In the event that opportunities for better recreation facilities than those provided by the dedication materialize, the land so dedicated may be sold with the fee therefrom being used for suitable park and recreation facilities which serve the neighborhood in which that subdivision is located.

(Based on sec. 1, Ord. 68-84)

- 6 8-12.03 Parks Principles and Standards. It is the policy of the County of Alameda to cooperate with other governmental entities, subdividers, communities or groups of residents to secure adequate park and recreational facilities for neighborhoods.

Public interest, convenience, health, welfare and safety require the standards that follow, which are found to be in conformity with the General Plan of the County of Alameda.

- (a) Each dwelling unit is to be served by a neighborhood park of no less than 6 acres in size and by a community park of no less than 17.5 acres in size.
- (b) Each elementary school attendance area is to be served by a neighborhood park, and each high school attendance area is to be served by a community park of the same sizes as specified in (a) above.

(Based on sec. 1, Ord. 68-84)

- 6 8-12.04 Standards for Dedication. The amount of land to be dedicated, or the fees to be paid, shall bear a reasonable relationship to the use of the park and recreation facilities by the future inhabitants of the subdivision and shall be the sum of the areas obtained by multiplying the number of dwelling units permitted under zoning on each lot by the area of park land required per dwelling unit at the density category appropriate to each lot as set forth in the following table:

<u>Lot Density Category</u> (Sq. ft. of lot area per dwelling unit permitted under Alameda County Zoning Ordinance)	<u>Area of Park Land Required</u> <u>Per Dwelling Unit (in sq. ft.)</u>
10,000 or more	450
5,000 to 9,999	530
2,500 to 4,999	450
1,500 to 2,499	230
1,499 or less	130

(Based on sec. 1, Ord. 68-84)

6 8-12.041 Credit for Private Park and Recreation Facilities. The Advisory Agency at its discretion may reduce the land for fees required under Section 8-12.04 by an amount equivalent to 25% of the area of land in the subdivision which is to be used for private park and recreation facilities, provided that:

- (a) The subdivision, or that portion of it for which the credit would apply, constitutes a neighborhood;
- (b) Land or dedication fee requirements shall not be reduced by an amount equivalent to more than two acres;
- (c) The private park and recreation facilities:
 - 1. Have sites of at least one-half acre in area,
 - 2. Are owned by a homes association composed of all property owners in the neighborhood and being an incorporated nonprofit organization capable of dissolution only by a 100% affirmative vote of the membership, operated under recorded land agreements through which each lot owner in the neighborhood is automatically a member, and each lot is subject to a charge for a proportionate share of expenses for maintaining the facilities,
 - 3. Are restricted for park and recreational purposes by recorded covenants which run with the land and cannot be defeated or eliminated without the consent of the Board of Supervisors,
 - 4. Are in accord with the principles and standards for local parks contained in the Park and Recreation Element of the General Plan, County of Alameda, State of California, and contain at least two of the facilities prescribed for neighborhood parks by said Element.

(Based on sec. 1, Ord. 69-9)

- 6 8-12.05 Amount of Fee in Lieu of Land Dedication. Where fees are required by the Board to be paid in lieu of land dedication, such fees shall be based on the current market value of all of the land in that subdivision as determined by the most recent appraisal made at the direction of the Board at the time of approval of the final subdivision map.

If the subdivider and/or the Local Agency objects to the determination of current market value by the Board, either may, at its own expense, obtain an appraisal of the property by a qualified real estate appraiser which appraisal may be accepted by the Board if found reasonable.

(Based on sec. 1, Ord. 68-84)

- 6 8-12.06 Advisory Agency Procedure. The Advisory Agency shall determine in accordance with the standards set forth in Section 8-12.04 and shall so designate on any tentative map it approves the area in the subdivision to be dedicated for park or recreation facilities and/or the amount of land upon which any fee to be paid is to be based.

The location and design of the land to be dedicated shall be determined on the basis of the principles and standards of the Recreation Element of the Alameda County General Plan and recommendations of the local park district, in which the subdivision is located.

(Based on sec. 1, Ord. 68-84)

- 6 8-12.07 Validity. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Supervisors of the County of Alameda, State of California, hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, clauses or phrases be declared invalid or unconstitutional.

(Based on sec. 1, Ord. 68-84)

Article 7

Parcel Map

6	8-13.0	<u>Procedure.</u>
6	8-13.1	<u>Form.</u>

Article 7

Parcel Map

(Entire Article 7 Amended by Ordinance 72-7)

6 8-13.0 Procedure: A parcel map shall be prepared and filed with The Director of Public Works in compliance with the provisions of this Chapter and Article 6 of the Subdivision Map Act. The map shall conform substantially to the approved tentative map.

- (a) Within 20 days after receiving the parcel map or within such additional time as may be reasonably necessary, the Director of Public Works shall examine it for the survey information shown thereon and for substantial conformance with the approved tentative map, and if he is satisfied that it is technically correct and in conformance, he shall certify the map in accordance with the provisions of the Subdivision Map Act.
- (b) All offers of dedication shall be completed prior to filing the parcel map.

(Based on sec. 9, Ord. 72-7)

6 8-13.1 Form:

- (a) The parcel map shall be prepared by a registered civil engineer or licensed land surveyor in conformance with the requirements of the Subdivision Map Act.
- (b) The following information shall be placed on the parcel map: Parcel map number, and the names and recording data of the record owners.
- (c) Each sheet of the parcel map shall be 18 x 26 inches with a marginal line around each sheet, leaving a blank margin of one inch. The scale of the map shall be such as to show all details clearly. Each sheet shall be numbered and its relation to other sheets clearly shown. If more than three sheets are necessary to show the entire division of land, an index map shall be included on one of the sheets. The boundary line of the original land being divided shall be indicated by a colored border approximately one-eighth inch in width applied

on the reverse side of the tracing and inside such boundary line. It shall be of a density as to be transferred to a blue line print of the map and not to obliterate any line, figure or other data appearing on the map. Each parcel shall be numbered or otherwise designated, and the area of each parcel shall be indicated.

(Based on sec. 9, Ord. 72-7)

Chapter 2 - Zoning

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Article 1

Introduction

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THE ZONING ORDINANCE

of the

COUNTY OF ALAMEDA, CALIFORNIA

CHAPTER 2 OF TITLE 8 OF THE ALAMEDA COUNTY ORDINANCE CODE, PARTS I AND II
PART I

(ENTIRE ZONING ORDINANCE AMENDED BY ORDINANCE NO. 67-119)

ARTICLE I - INTRODUCTION

- 6 8-19.0 SHORT TITLE. This chapter may be cited as the Zoning Ordinance of the County of Alameda, California.
- 6 8-19.1 PURPOSES. This chapter provides for the division of the unincorporated territory of the County into parts, hereinafter designated as Districts, within each of which the uses of land and buildings and the height and bulk of buildings and the open spaces about buildings are regulated as specified. It is adopted to promote and protect the public health, safety, peace, comfort, convenience and general welfare, and for the following more particularly specified purposes:
- a) Implement the general plan of the county by guiding and regulating development;
 - b) To protect the character and stability of existing development, and to encourage orderly and beneficial new development;
 - c) To provide adequate light, air, privacy, and convenience of access to property, and to secure safety from fire and other dangers;
 - d) To prevent overcrowding the land and undue congestion of the population;
 - e) To regulate the location of buildings and the use of buildings and land so as to prevent undue interference with existing or prospective traffic movements on public thoroughfares.
- 6 8-19.2 PROVISION FOR CONTINUITY. The provisions of this chapter, to the extent that they are substantially the same as those in effect relative to the same subject matter prior to the effective date of its adoption, shall be construed as restatements and continuations thereof and not as new enactments.
- 6 8-19.3 INTERPRETATION. In their interpretation and application, the provisions of this chapter shall be held to be minimum requirements. Nothing in this chapter shall repeal or amend any ordinance of the County requiring a permit or a license, or both, to cover any business. The provisions of this chapter are not intended to impair or interfere with any existing easement, covenant or other agreement between parties; provided, however, that where this chapter imposes a greater restriction upon the use of buildings or premises, or upon the height or bulk of buildings and structures, or requires larger building sites, yards or other open spaces, that are imposed by any other law, ordinance, easement or agreement, then the provisions of this chapter shall control.
- 6 8-19.4 DISTRICTS. The unincorporated territory of the County is hereby divided into Districts, within each of which certain uses of land and buildings are permitted and certain other uses of land and buildings are restricted or prohibited and within which certain combinations or regulations are applied with reference to building site dimensions, yard dimensions, and other matters; all as set forth in this Chapter.

- 9 8-19.5 DISTRICTS ENUMERATED. There are the following Districts established respectively for the purposes set forth in the Section of this Chapter indicated opposite the name and symbol designating each of the following table:

NAME OF DISTRICT	DESIGNATED AS:	SECTION NO.
Agricultural	A Districts	8-25.0
Single Family Residence	R-1 Districts	8-26.0
Two-family Residence	R-2 Districts	8-27.0
Suburban Residence	R-S Districts	8-28.0
Four-family Residence	R-3 Districts	8-29.0
Multiple Residence	R-4 Districts	8-30.0
Planned Development	PD Districts	8-31.0
Combining Site Area	-B Districts	8-40.0
Combining Density	-D Districts	8-41.0
Combining Agricultural Use	-L Districts	8-42.0
Combining Air Pollution Control	-X Districts	8-43.0
Combining Sign Control	-S Districts	8-44.0
Highway Frontage	H-1 Districts	8-45.0
Administrative Office	C-0 Districts	8-46.0
Neighborhood Business	C-N Districts	8-47.0
Retail Business	C-1 Districts	8-48.0
General Commercial	C-2 Districts	8-49.0
Industrial Park	M-P Districts	8-50.0
Light Industrial	M-1 Districts	8-51.0
Heavy Industrial	M-2 Districts	8-52.0
Flood Plain	F-P Districts	8-53.0
Parking	P Districts	8-54.0
Unclassified	U Districts	8-56.0

(Amended by Sec. 1, Ord. 68-33 and Sec. 4, Ord. 69-93; Amended by Sec. 2, Ord. 75-37)

- 9 8-19.6 DISTRICTS: JOINT REFERENCE. Wherever a regulation is applied herein to "any R District", it shall be understood to apply to any District designated in Section 8-19.5 by the primary symbol "R" and shall be understood to apply to any "PD" District if that District contains any Residential uses. Wherever a regulation is applied herein to "any C District" it shall be understood to apply to any District designated in Section 8-19.5 by the primary symbol "H" or "C". Whenever a regulation is applied herein to "any M District" it shall be understood to apply to any District designated in Section 8-19.5 by the primary symbol "M".

(Amended by Sec. 2, Ord. 75-37)

- 9 8-19.7 DISTRICTS, ESTABLISHED: The Districts and combining Districts hereinabove referred to are hereby established as they are bounded and described upon the zoning map.
- 9 8-19.8 ZONING MAP. The Zoning Map shall show by boundaries and designation the district classification of all lands in the unincorporated area of Alameda County as such boundaries and classifications have been established by Ordinance No. 420 and any amendment thereto.
- 9 8-19.9 ZONING MAP: OFFICIAL COPY. The Planning Commission shall maintain an official copy of the Zoning Map.

6 8-19.10 SAME: DISTRICT BOUNDARIES. Where uncertainty exists as to the boundaries of any of the Districts as shown on the Zoning Map, the Planning Commission upon written application, or upon its own motion, shall determine the location of such boundaries.

6 8-19.11 ZONING MAP: AMENDMENT. Whenever the District boundaries are changed, or when the District classification of any property is changed, by an action of the Board of Supervisors, pursuant to Section 8-103.0, said change shall be entered upon the Zoning Map and certified by the Planning Director.

Based on sec. 1, Ord. 67-119; Amended by the following Ordinances:

sec. 1, Ord. 68-1; sec. 1, Ord. 68-2; sec. 1, Ord. 68-3; sec. 1, Ord. 68-5;
sec. 1, Ord. 68-6; sec. 1, Ord. 68-7; sec. 1, Ord. 68-10; sec. 1, Ord. 68-11;
sec. 1, Ord. 68-12; sec. 1, Ord. 68-15; sec. 1, Ord. 68-16; sec. 1, Ord.
68-17; sec. 1, Ord. 68-19; sec. 1, Ord. 68-20; sec. 1, Ord. 68-21; sec. 1,
Ord. 68-23; sec. 1, Ord. 68-24; sec. 1, Ord. 68-25; sec. 1, Ord. 68-32;
sec. 1, Ord. 68-40; sec. 1, Ord. 68-45; sec. 1, Ord. 68-51; sec. 1, Ord.
68-55; sec. 1, Ord. 68-56; sec. 1, Ord. 68-57; sec. 1, Ord. 68-64; sec. 1,
Ord. 68-65; sec. 1, Ord. 68-66; sec. 1, Ord. 68-70; sec. 1, Ord. 68-73;
sec. 1, Ord. 68-74; sec. 1, Ord. 68-75; sec. 1, Ord. 68-77; sec. 1, Ord.
68-79; sec. 1, Ord. 68-82; sec. 1, Ord. 68-83; sec. 1, Ord. 68-91; sec. 1,
Ord. 68-92; sec. 1, Ord. 68-93; sec. 1, Ord. 69-1; sec. 1, Ord. 69-3;
sec. 1, Ord. 69-4; sec. 1, Ord. 69-5; sec. 1, Ord. 69-10; sec. 1, Ord.
69-15; sec. 1, Ord. 69-16; sec. 1, Ord. 69-17; sec. 1, Ord. 69-18; sec. 1,
Ord. 69-21; sec. 1, Ord. 69-22; sec. 1, Ord. 69-24; sec. 1, Ord. 69-25;
sec. 1, Ord. 69-26; sec. 1, Ord. 69-27; sec. 1, Ord. 69-30; sec. 1, Ord.
69-31; sec. 1, Ord. 69-35; sec. 1, Ord. 69-36; sec. 1, Ord. 69-39; sec. 1,
Ord. 69-40; sec. 1, Ord. 69-41; sec. 1, Ord. 69-44; sec. 1, Ord. 69-45;
sec. 1, Ord. 69-46; sec. 1, Ord. 69-54; sec. 1, Ord. 69-55; sec. 1, Ord.
69-56; sec. 1, Ord. 69-66; sec. 1, Ord. 69-67; sec. 1, Ord. 69-68; sec. 1,
Ord. 69-69; sec. 1, Ord. 69-70; sec. 1, Ord. 69-71; sec. 1, Ord. 69-72;
sec. 1, Ord. 69-73; sec. 1, Ord. 69-74; sec. 1, Ord. 69-75; sec. 1, Ord.
69-76; sec. 1, Ord. 69-79; sec. 1, Ord. 69-81; sec. 1, Ord. 69-82; sec. 1,
Ord. 69-84; sec. 1, Ord. 69-85; sec. 1, Ord. 69-86; sec. 1, Ord. 69-97;
sec. 1, Ord. 69-101; sec. 1, Ord. 69-103; sec. 1, Ord. 69-104; sec. 1,
Ord. 69-105; sec. 1, Ord. 69-106; sec. 1, Ord. 69-107; sec. 1, Ord. 69-108; sec. 1,
Ord. 70-3; sec. 1, Ord. 70-7; sec. 1, Ord. 70-9; sec. 1, Ord. 70-10; sec. 1,
Ord. 70-11; sec. 1, Ord. 70-14; sec. 1, Ord. 70-18; sec. 1, Ord. 70-23;
sec. 1, Ord. 70-26; sec. 1, Ord. 70-35; sec. 1, Ord. 70-43; sec. 1, Ord. 70-44;
sec. 1, Ord. 70-45; sec. 1, Ord. 70-52; sec. 1, Ord. 70-53; sec. 1, Ord. 70-56;
sec. 1, Ord. 70-61; sec. 1, Ord. 70-66; sec. 1, Ord. 70-67; sec. 1, Ord. 70-72;
sec. 1, Ord. 70-73; sec. 1, Ord. 70-75; sec. 1, Ord. 70-77; sec. 1, Ord. 70-84;
sec. 1, Ord. 70-85; sec. 1, Ord. 70-88; sec. 1, Ord. 71-1; sec. 1, Ord. 71-2;
sec. 1, Ord. 71-3; sec. 1, Ord. 71-5; sec. 1, Ord. 71-6; sec. 1, Ord. 71-8;
sec. 1, Ord. 71-9; sec. 1, Ord. 71-12; sec. 1, Ord. 71-13; sec. 1, Ord. 71-14;
sec. 1, Ord. 71-16; sec. 1, Ord. 71-22; sec. 1, Ord. 71-23; sec. 1, Ord. 71-24;
sec. 1, Ord. 71-25; sec. 1, Ord. 71-30; sec. 1, Ord. 71-31; sec. 1, Ord. 71-38;
sec. 1, Ord. 71-39; sec. 1, Ord. 71-40; sec. 1, Ord. 71-44; sec. 1, Ord. 71-48;
sec. 1, Ord. 71-55; sec. 1, Ord. 71-56; sec. 1, Ord. 71-64; sec. 1, Ord. 71-65;
sec. 1, Ord. 71-72; sec. 1, Ord. 71-73; sec. 1, Ord. 71-74; sec. 1, Ord. 71-75;
sec. 1, Ord. 71-79; sec. 1, Ord. 71-81; sec. 1, Ord. 71-88; sec. 1, Ord. 71-94;
sec. 1, Ord. 71-95; sec. 1, Ord. 71-96; sec. 1, Ord. 71-104; sec. 1, Ord. 72-1;
sec. 1, Ord. 72-2; sec. 1, Ord. 72-5; sec. 1, Ord. 72-8; sec. 1, Ord. 72-12;
sec. 1, Ord. 72-13; sec. 1, Ord. 72-19; sec. 1, Ord. 72-20; sec. 1, Ord. 72-21;

sec. 1, Ord. 72-23; sec. 1, Ord. 72-30; sec. 1, Ord. 72-31; sec. 1, Ord. 72-32;
 sec. 1, Ord. 72-40; sec. 1, Ord. 72-41; sec. 1, Ord. 72-42; sec. 1, Ord. 72-45;
 sec. 1, Ord. 72-46; sec. 1, Ord. 72-49; sec. 1, Ord. 72-50; sec. 1, Ord. 72-51;
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 sec. 1, Ord. 72-87; sec. 1, Ord. 72-89; sec. 1, Ord. 72-93; sec. 1, Ord. 73-2;
 sec. 1, Ord. 73-4; sec. 1, Ord. 73-5; sec. 1, Ord. 73-6; sec. 1, Ord. 73-14;
 sec. 1, Ord. 73-19; sec. 1, Ord. 73-20; sec. 1, Ord. 73-28; sec. 1, Ord. 73-31;
 sec. 1, Ord. 73-32; sec. 1, Ord. 73-37.1; sec. 1, Ord. 73-38; sec. 1, Ord. 73-39;
 sec. 1, Ord. 73-41; sec. 1, Ord. 73-42; sec. 1, Ord. 73-43; sec. 1, Ord. 73-47;
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 sec. 1, Ord. 73-108; sec. 1, Ord. 73-109; sec. 1, Ord. 73-110; sec. 1, Ord. 73-111;
 sec. 1, Ord. 74-5; sec. 1, Ord. 74-7; sec. 1, Ord. 74-21; sec. 1, Ord. 74-22;
 sec. 1, Ord. 74-23; sec. 1, Ord. 74-24; sec. 1, Ord. 74-25; sec. 1, Ord. 74-28;
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 sec. 1, Ord. 74-43; sec. 1, Ord. 74-44; sec. 1, Ord. 74-52; sec. 1, Ord. 74-53;
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 sec. 1, Ord. 74-87; sec. 1, Ord. 74-88; sec. 1, Ord. 74-89; sec. 1, Ord. 74-90;
 sec. 1, Ord. 74-91; sec. 1, Ord. 74-92; sec. 1, Ord. 74-99; sec. 1, Ord. 74-100;
 sec. 1, Ord. 74-101; sec. 1, Ord. 74-104; sec. 1, Ord. 74-105; sec. 1, Ord. 74-115;
 sec. 1, Ord. 74-120; sec. 1, Ord. 74-121; sec. 1, Ord. 74-122; sec. 1, Ord. 74-124;
 sec. 1, Ord. 74-125; sec. 1, Ord. 74-126; sec. 1, Ord. 74-127; sec. 1, Ord. 74-128;
 sec. 1, Ord. 74-129; sec. 1, Ord. 74-130; sec. 1, Ord. 74-131; sec. 1, Ord. 74-136;
 sec. 1, Ord. 74-137; sec. 1, Ord. 74-138; sec. 1, Ord. 74-139; sec. 1, Ord. 74-140;
 sec. 1, Ord. 74-141; sec. 1, Ord. 74-142; sec. 1, Ord. 74-143; sec. 1, Ord. 74-149;
 sec. 1, Ord. 74-150; sec. 1, Ord. 74-151; sec. 1, Ord. 74-152; sec. 1, Ord. 75-8;
 sec. 1, Ord. 75-9; sec. 1, Ord. 75-14; sec. 1, Ord. 75-15; sec. 1, Ord. 75-16;
 sec. 1, Ord. 75-17; sec. 1, Ord. 75-18; sec. 1, Ord. 75-19; sec. 1, Ord. 75-23;
 sec. 1, Ord. 75-24; sec. 1, Ord. 75-31; sec. 1, Ord. 75-46; sec. 1, Ord. 75-48;
 sec. 1, Ord. 75-51; sec. 1, Ord. 75-59; sec. 1, Ord. 75-60; sec. 1, Ord. 75-61;
 sec. 1, Ord. 75-81; sec. 1, Ord. 75-82; sec. 1, Ord. 75-83; sec. 1, Ord. 75-84;
 sec. 1, Ord. 75-85; sec. 1, Ord. 75-89; sec. 1, Ord. 75-94; sec. 1, Ord. 75-95;
 sec. 1, Ord. 75-102; sec. 1, Ord. 75-107; sec. 1, Ord. 75-108; sec. 1, Ord. 75-109;
 sec. 1, Ord. 75-115; sec. 1, Ord. 75-116; sec. 1, Ord. 75-125; sec. 1, Ord. 75-128;
 sec. 1, Ord. 75-129; sec. 1, Ord. 76-1; sec. 1, Ord. 76-2; sec. 1, Ord. 76-5;
 sec. 1, Ord. 76-10; sec. 1, Ord. 76-12; sec. 1, Ord. 76-13; sec. 1, Ord. 76-14;
 sec. 1, Ord. 76-16.1; sec. 1, Ord. 76-26; sec. 1, Ord. 76-27; sec. 1, Ord. 76-32;
 sec. 1, Ord. 76-33; sec. 1, Ord. 76-42; sec. 1, Ord. 76-44; sec. 1, Ord. 76-45;
 sec. 1, Ord. 76-47; sec. 1, Ord. 76-48; sec. 1, Ord. 76-49; sec. 1, Ord. 76-53;
 sec. 1, Ord. 76-54; sec. 1, Ord. 76-55; sec. 1, Ord. 76-57; sec. 1, Ord. 76-60;
 sec. 1, Ord. 76-61; sec. 1, Ord. 76-62; sec. 1, Ord. 76-63; sec. 1, Ord. 76-68;
 sec. 1, Ord. 76-70; sec. 1, Ord. 76-71; sec. 1, Ord. 76-73; sec. 1, Ord. 76-80;
 sec. 1, Ord. 76-87; sec. 1, Ord. 76-90;

- 6 8-19.12 CONFORMITY REQUIRED. Except as otherwise provided herein, land, buildings, structures and premises shall hereafter be used only in accordance with the regulations herein established.

(Amended by sec. 2, Ord. 71-41)

- 6 8-19.13 DIVISION OF LOTS. Except as otherwise provided in this chapter, no Lot or portion thereof shall be sold, transferred, divided, or set off in such a manner that any portion sold, transferred, divided, set off, or portion remaining shall contain an Area, area per Dwelling Unit, Effective Lot Frontage, Median Lot Width or required Yards or parking spaces less than the minimum prescribed by the regulations relating to the District in which it is situated nor shall a Lot or portion thereof be sold, transferred, divided or set off in such a manner that shall create a Use on any portion sold, transferred, divided, set off, or portion remaining inconsistent with the regulations relating to the District in which it is situated.

- 6 8-19.15 SAME: RESCISSION. Any deed of conveyance, sale or contract to sell made contrary to the provisions of this chapter is voidable at the sole option of the grantee, buyer, or person contracting to purchase, his heirs, personal representative, or trustee in insolvency or bankruptcy within one year after the date of execution of the deed of conveyance, sale or contract to sell, but the deed of conveyance, sale or contract to sell is binding upon any assignee or transferee of the grantee, buyer or person contracting to purchase, other than those above enumerated, and upon the grantor, vendor, or person contracting to sell, his assignee, heir or devisee.

DEFINITIONS

- 6 8-20.0 DEFINITIONS. For the purpose of this Chapter, certain words and phrases are defined and shall be construed as set out in this and the following sections unless it is apparent from the context that they have a different meaning. All public officials, bodies and agencies to which reference is made shall be understood to mean those of the County of Alameda, hereinafter referred to as the County, unless the text indicates otherwise.
- 6 8-20.1 ACCESS DRIVEWAY. Access Driveway means land providing vehicular access to building or off-street parking area, open from the ground to the sky except as may be otherwise indicated on an approved Site Development Review Plan, Land Use and Development Plan or Cluster Permit Plan.
- 6 8-20.2 ACCESSORY STRUCTURE. Accessory Structure means a detached subordinate Structure or Building on a Lot, the use of which is appropriate, incidental and customarily or necessarily related to the District and to the Principal Use of the Lot or to that of a Main Building on the Lot. The term does not include a Dwelling or a guest house in any R or A District.
- 6 8-20.3 ACCESSORY USE. Accessory Use means a Use which is appropriate, subordinate, incidental and customarily or necessarily related to a lawfully existing Principal Use on the same Lot or Building Site and does not alter the essential characteristics of such Principal Use as a whole and as related to other Uses permitted in the same District.
- 6 8-20.4 BLOCK. Block means that property abutting on one side of a Street or Lane which lies between the two nearest intersecting or intercepting Streets, or between the nearest such cross Street and an intersecting railroad right-of-way, water course, body of water, or the end of the Street or Lane.
- 6 8-20.5 BOARDING HOUSE. Boarding House means a building or portion thereof, other than a Hotel or restaurant, where four (4) or more persons are provided with lodging or meals or both meals and lodging for a consideration and pursuant to previous arrangement. The term includes a lodging house or rooming house, but does not include institutional uses such as a Hospital or an orphanage or Home for the Aged.
- 6 8-20.6 BUILDING. Building means any Structure erected for the support, shelter or enclosure of persons, animals or property. A vehicle regulated by the State Vehicle Act shall not be deemed to be a Building. (See also Accessory Building, Main Building).

- 6 8-20.6.1 BUILDING FRONTAGE, PRIMARY. The term Primary Building Frontage shall mean the width of the projection of a business building, or establishment within a building, onto a single straight line chosen by the establishment to be the Primary Building Frontage and normally parallel to a lot line or street. A Primary Building Frontage line must lie in a roadway or public open space area such as a private street, an open plaza or square or an auto parking area. A business may have only one (1) Primary Building Frontage. Any sign area accrued and authorized by one Building Frontage may not be attached to any other Frontage.

(Based on sec. 2, Ord. 74-1)

- 6 8-20.6.2 BUILDING FRONTAGE, SECONDARY. The term Secondary Building Frontage shall mean the width of the projection of a business building, or establishment within a building, onto a single straight line which is either perpendicular to or parallel to the Primary Building Frontage line. A Secondary Building Frontage line must lie in a roadway or public open space area such as a private street, an open plaza or square or an auto parking area. A business may have a maximum of three (3) Secondary Building Frontages. Any sign area accrued and authorized by one Building Frontage may not be attached to any other Frontage.

(Based on sec. 2, Ord. 74-1)

- 6 8-20.7 BUILDING SITE. Building Site means the land area, consisting of one or more recorded Lots which constitute a unit, either under one Ownership or for use as a condominium, which is to be considered as a site either occupied or to be occupied by a Main Building or Buildings and Accessory Buildings or by a Principal Use and Accessory Uses together with the Effective Lot Frontage on a Street, and the Yards, open spaces and parking and loading spaces required by these regulations.
- (Amended by sec. 2, Ord. 68-27)
- 6 8-20.8 CLUBHOUSE. Clubhouse means a Building used for social or civic activities by a group of persons who are members of an organized and incorporated association, excluding any Building where the chief activity is one customarily carried on as a business, or where a room or suite of rooms is frequently rented or regularly offered for rent to non-member groups or to the general public.
- 6 8-20.9 COMMUNITY CLUBHOUSE. Community Clubhouse means a Clubhouse containing facilities for neighborhood civic and social activities, operated by and for residents in the vicinity, where residence in the area served as a requisite for membership.
- 6 8-20.10 COMMUNITY FACILITY. Community Facility means any of the following build- or uses:
- Church or rectory or convent, when constructed of frame or more lasting materials;
 - School, attendance at which satisfies the requirements of the Compulsory Education Law of State;
 - Nursery School;
 - Library, college, university;
 - Outdoor Recreation Facility;
 - Public Utility Building or Uses, excluding such uses as a business office;
 - Storage garage, repair shop or corporation yard;
 - Newspaper carrier distribution center, having an area not in excess of one-hundred (100) square feet.
- (Amended by sec. 3, Ord. 71-41)
- 6 8-20.101 DIRECTIONAL TRACT SIGN. Directional Tract Sign means a temporary sign not exceeding 24 square feet in area and 15' in height and containing only the name and location of a subdivision and directions for reaching same. For the purposes of Section 8-93.0, Directional Tract Sign as defined herein is a Principal Use.
- 6 8-20.11 DRIVE-IN THEATRE. A Drive-in Theatre means a place where automobiles are admitted for a fee and parked so the occupants can view a motion picture display while seated therein.
- 6 8-20.12 DRIVE-IN BUSINESS. A Drive-in Business means a business activity consisting of sales or service activity predominately rendered to patrons who normally receive the product or utilize the service, at least in part, while in automobiles upon the premises. This definition includes drive-in restaurants and automobile car washes.
- 6 8-20.121 DRIVE-IN RESTAURANT. A Drive-in Restaurant means any eating establishment which contains any of the following characteristics:
- (a) The floor area available for public use is less than one-half of the total floor area;
 - (b) Has an outside service window; or
 - (c) Is designed for or uses service to patrons while in automobiles on the premises.
- (Based on sec. 1, Ord. 69-83)
- 6 8-20.13 DWELLING. Dwelling means any Building or portion of a Building which contains one or more Dwelling Units. The term includes One-family Dwelling, Two-family Dwelling and Multiple Dwelling.

- 6 8-20.14 DWELLING GROUP. Dwelling Group means two or more separate One-family, Two-family or Multiple Dwellings occupying a single Building Site.
- 6 8-20.15 DWELLING UNIT. Dwelling Unit means a room, or a suite of connecting rooms, designed for use as separate living quarters or used as separate living quarters and constituted as a separate and independent housekeeping unit and having its own kitchen facilities consisting of one or more of the following:
- Sink, cooking facility or refrigerator.
(Amended by sec. 4, Ord. 71-41)
- 6 8-20.16 EFFECTIVE LOT FRONTAGE. The term Effective Lot Frontage means whichever is smaller of the following two specified dimensions of a Lot or a Building Site:
- a) The length of the front Lot Line, excluding any frontage on the stub end of a Street where there is no approved turning circle; or
 - b) The least Lot Width at any point between the front line of the Lot and the point at which the "Median Lot Width" is measured.
- (Amended by sec. 3, Ord. 68-27)
- (FLOOR AREA - See Sec. 8-63.16)
- 6 8-20.17 GRADE. Grade is the lowest point of elevation of the finished surface of the ground between the exterior wall of the building and a point five feet distant from the said wall or the lowest point of elevation of the finished surface of the ground between the exterior wall of the building and the property line if it is less than five feet distant from said wall. In the case of walls parallel to and within five feet of a public sidewalk, alley, or other public way, the "grade" shall be the elevation of the sidewalk, alley, or public way.
- 6 8-20.18 HEIGHT OF BUILDING. Height of Building means the vertical distance between the average level of the highest and lowest points of that portion of the lot covered by the building to the topmost point of the structure.
- 6 8-20.19 HOG RANCH. Hog Ranch means any premises where more than three (3) hogs, with any unweaned litters, are maintained.
- 6 8-20.20 HOME FOR THE AGED. Home for the Aged shall mean a Building other than a Hospital which is used to provide, under the supervision of the Alameda County Welfare Department, living quarters for and non-medical care of less than 16 aged persons not related to the operator of the enterprise. Said living quarters shall not constitute "Dwelling Units" as defined by this Article.
(Repealed by sec. 1, Ord. 69-23)
- 6 8-21.0 HOME OCCUPATION. Home Occupation means an activity customarily carried on by a resident of a Dwelling Unit, when activity is incidental and subordinate to the use and maintenance of the Dwelling Unit as living quarters, as regulated in Section 8-60.22.
- 6 8-21.1 HOSPITAL. Hospital means a General Hospital as licensed by the State Department of Public Health or Psychiatric or Alcoholism Hospital as licensed by the State Department of Mental Hygiene.
(Amended by sec. 2, Ord. 69-23)
- 6 8-21.2 HOTEL. Hotel means a Building other than a Motel containing six (6) or more bedrooms where overnight lodging, without individual cooking facilities, is offered to the public for compensation, primarily for the accommodation of transient guests. A Motel shall not be deemed to be a Hotel.

- 6 8-21.3 HOUSEHOLD PET. Household Pet means any animal of a domesticated species kept inside a Dwelling, or any dog or cat kept on the same premises, by the occupant of a Dwelling. The term shall not be deemed to include any rabbit, fowl, pigeon, sheep, goat, hog or other livestock kept in the open or in an Accessory Building.

(Repealed by Sec. 1, Ord. 75-29)

- 6 8-21.4 INTERIOR LOT. Interior Lot means a Lot other than a Corner Lot.

- 6 8-21.5 INSTITUTIONS FOR THE AGED. Institution for the Aged shall mean a Building other than a Hospital which is used to provide under the supervision of the State Department of Public Welfare, living quarters for and non-medical care of 16 or more persons not related to the operator of the enterprise. Said living quarters shall not constitute Dwelling Units.

(Repealed by sec. 4, Ord. 69-23)

- 6 8-21.6 KENNEL. Kennel means any premises where more than six (6) dogs or more than twelve (12) cats, over the age of weaning, are **boarded** kept, or otherwise maintained.

(Amended by Sec. 3, Ord. 75-29)

- 6 8-21.7 KEY LOT. Key Lot means the first lot to the rear of a Corner Lot, the front Lot Line of which is a continuation of the side Lot Line of the Corner Lot.

- 6 8-21.8 LANE. Lane means either (1) a public thoroughfare which is not improved or maintained by the State, the County or a city; or (2) any private road over which the different owners of three (3) or more separate Lots have a common easement for vehicular passage extending to a Street. The term does not include any thoroughfare defined herein as a Street, (Sec. 8-22.15) or any driveway lying entirely within a single Building Site.

- 6 8-21.9 LOT. Lot means a separate parcel of land shown and identified as such on the records of the County Recorder or on the final map of an approved and recorded subdivision, excluding therefrom, for the purposes of this Chapter, any portion thereof which lies within a Street, within a Lane, or within a fenced-off Flood Control easement.

- 6 8-21.10 LOT: CORNER. Corner Lot means a Lot or a Building Site in one Ownership which is bounded on two (2) or more adjacent sides by Street lines, or by a Street line and a Lot Line abutting a Lane, where the angle of intersection does not exceed one hundred thirty five (135) degrees.

- 6 8-21.11 LOT DEPTH. Lot Depth means the average horizontal distance between the front Lot Line and the rear Lot Line (or between two opposite front Lot Lines) measured on a line running in the general direction of the side Lot Lines; provided, however, that if either side Lot Line has any angular change of direction, it shall be measured along a straight line starting from the midpoint of the front Lot Line so as to bisect the front half of the Lot, and extended to the rear Lot Line.

- 6 8-21.12 LOT LINE. Lot Line means one of the boundary lines of a Lot or a Building Site. A Street Lot Line is any lot line abutting a street and, for the purposes of this Chapter, does constitute a boundary line of a lot unless otherwise specified in the document creating the lot. The Front Lot Line is a Street Lot Line upon which the Effective Lot Frontage is required to be provided. On a Corner Lot, the shorter Street Lot Line is the Front Lot Line, in the case of a square Corner Lot, either of the equal Street Lot Lines may be designated to be the Front Lot Line. An interior through Lot abutting two approximately parallel Streets has two Front Lot Lines. The Lot Line generally opposite the Front Lot Line is the Rear Lot Line, and need not be a straight line. All other Lot Lines are Side Lot Lines.

(Amended by sec. 1, Ord. 76-11)

- 6 8-21.13 LOT WIDTH. Lot Width means the horizontal distance between the side Lot Lines measured at a right angle to the line along which Lot Depth is measured.

- 6 8-21.14 MAIN BUILDING. Main Building means one which is conducted a Principal Use of the Lot upon which it is situated. A Dwelling in any R District is a Main Building.

- 6 8-21.15 MEDIAN LOT WIDTH. Median Lot Width means the Lot Width at the midpoint of the line along which the Lot Depth is measured.

- 6 8-21.15A MEDICAL OR RESIDENTIAL CARE FACILITY. Medical or Residential Care Facility means a Nursing and Convalescent Home as licensed by State Department of Public Health, and includes residential care homes as licensed by State Department of Social Welfare and the Alameda County Welfare Department. This term also includes group living quarters housing persons placed by an authorized agency for rehabilitation purposes and is funded by or licensed by or is operated under the auspices of an appropriate Federal, State or County governmental agency.

(Based on sec. 2, Ord. 71-18)

- 6 8-21.16 MOBILEHOME. "Mobilehome" is a vehicle designed and equipped for human habitation, and for being drawn by a motor vehicle.

- 6 8-21.16A MOBILEHOME PARK. "Mobilehome Park" is any Building Site where one or more mobilehome sites are rented or leased or held out for rent or lease or for sale as a unit of a condominium to accommodate mobilehomes used for human habitation.

- 6 8-21.16B MOBILEHOME SITE. "Mobilehome Site" is that portion of a Mobilehome Park designed or used for the occupancy of one Mobilehome.

(Amended by sec. 4, Ord. 69-93)

- 6 8-21.17 MOTEL. Motel means a Building, or group of one-story or two-story Buildings on the same Lot or Building Site, whether detached or in connected rows, containing bedrooms or Dwelling Units independently accessible from the outside, which are occupied, or offered to the public to be occupied, by automobile travelers. The term includes any Building or group of Buildings designated as an auto court, motor lodge, tourist court or by any other title or sign intended to identify it as providing for rental or over-night accommodation primarily to motorists.

- 6 8-21.18 MULTIPLE DWELLING. Multiple Dwelling means a Building or portion of a Building containing three or more Dwelling Units.

(NONCONFORMING USE, See Sec. 8-62.0)

- 6 8-21.19 NAME PLATE. A Name Plate is a sign which serves exclusively to designate the name, or the name and occupation of a person residing in the Dwelling. (Amended by sec. 1, Ord. 72-22)

- 6 8-21.20 ONE-FAMILY DWELLING. One-Family Dwelling means a Building containing one and only one Dwelling Unit.

- 6 8-22.0 OUTDOOR RECREATION FACILITY. Outdoor Recreation Facility means a park, or a playing field for active games, a golf course, a swimming pool, a camp or picnic grounds, or a neighborhood recreation area, together with such Buildings or uses as are accessory to the recreational use. The term does not include Drive-In Theatre, a Drive-In Business, carnival, circus or trampoline courts.

(Amended by sec. 1, Ord. 69-32; amended by sec. 1, Ord. 70-74)

- 6 8-22.1 OWNERSHIP. Ownership means possession of property in fee by a person or persons, firm, corporation or partnership, individually, jointly or in any other manner whereby the property is under single or unified control. The person, firm, corporation or partnership exercising such ownership of a parcel of land shall be referred to herein as the owner thereof.

- 6 8-22.2 PARKING LOT. Parking Lot means any premises the Principal Use of which is to provide a hard-surfaced open space for the parking of passenger automobiles. (For Parking Spaces - See Sec. 8-63.0 - 6-63.7)

- 6 8-22.3 PLACE OF PUBLIC ASSEMBLY. Place of Public Assembly means any place designated for or used in whole or in part for the congregation or gathering of fifty or more persons in one Building whether such gathering be of a public, restricted or private nature. Assembly hall, church, school auditorium, auditorium, recreation hall, or pavilion, place of amusement, dance hall, opera hall, motion picture house, established for the consumption of food or drink, or other similar establishments, are included in this term.

- 6 8-22.3A PLANNING DIRECTOR. Planning Director shall mean the Planning Director of Alameda County or his designated representative.

(Based on sec. 1, Ord. 70-57)

- 6 8-22.4 PRINCIPAL USE. Principal Use means a Use permitted, excluded, conditioned, or allowed to continue as a non-conforming Use by these regulations, as distinguished from an auxiliary or subordinate Use permitted only when accessory to another Use lawfully occupying the same Lot or Building Site. Every Dwelling in an R District is a Principal Use.

6 8-22.5 PRIVATE GARAGE. Private garage means a Building or portion of a Building used for the parking of one or more automobiles where the Use is accessory to the Principal Use of the Building or the premises.

6 8-22.5A RECYCLING CENTER Recycling Center means a facility that collects, sorts, and temporarily stores glass, metals and other reusable materials. The term does not include any processing activity.

(Based on sec. 1, Ord. 73-74)

6 8-22.51 RECREATIONAL VEHICLE. "Recreational vehicle" is a camp car, motor home, travel trailer or tent trailer, with or without motive power, designed for human habitation for recreational or emergency occupancy, with a living area less than 220 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units, or fixtures, bath and toilet rooms, and is identified as a recreational vehicle by the manufacturer.

(Based on sec. 4, Ord. 69-93)

6 8-22.51 RACE TRACK. Race Track means a facility for the competitive or recreational use of motor vehicles which are principally designed or commonly used for off highway or recreational purposes.

(Based on sec. 2, Ord. 70-25)

6 8-22.52 RECREATIONAL VEHICLE PARK. "Recreational Vehicle Park" is any Building Site where one or more sites are rented or leased or held out for rent or lease for one or more days to owners or users of Recreational Vehicles.

(Based on sec. 4, Ord. 69-93)

6 8-22.53 RECREATIONAL VEHICLE SITE. "Recreational Vehicle Site" is that portion of a Recreational Vehicle Park designed or used for the occupancy of one Recreational Vehicle.

(Based on sec. 4, Ord. 69-93)

6 8-22.6 SALVAGE YARD. Salvage Yard means the use of more than two-hundred (200) square feet outside of a building on any lot for the handling or storage of scrap metal, paper, rags or discarded, salvaged or waste materials of any kind. The term includes automobile wrecking yards, used lumber yards, junk yards and storage of salvaged house wrecking and structural steel materials and equipment, but does not include yards for the storage or sale of operable used cars or machinery or the incidental processing of used or salvaged materials where permitted, as part of a lawful manufacturing or industrial use on the same premises.

- 6 8-22.6A SANITARY LAND FILL. Sanitary Land Fill means an engineering method of disposing solid waste on land by spreading the waste in thin layers, compacting it to the smallest practical volume and covering the waste with earth each day in a manner which prevents environmental pollution.

(Based on sec. 1, Ord. 70-76)

- 6 8-22.7 SELF-SERVICE LAUNDRY. Self-Service Laundry means an establishment where the clothing of individual patrons is laundered separately in coin-operated or automatic washing machines and dryers. The term includes establishments containing dry cleaning units with a capacity not in excess of forty (40) pounds and using non-inflammable fluids whose flash point is not less than 138.5 degrees Fahrenheit. The term does not include any establishment which involves the use of a vehicular pick-up or delivery service.

(SERVICE STATION. See Sections 8-65.0, 8-65.1, 8-65.2, 8-65.3)

- 6 8-22.8 SHELTER. Shelter means a Building or Structure, the use of which is for the protection of persons against blasts, fire, heat and radio-active fallout as described in Appendix 2, Annex 10, National Shelter Plan of the United States Office of Civil and Defense Mobilization; but not as a place of human habitation except during periods of natural disaster, enemy attack and authorized local, State and Federal Civilian Defense alerts, tests or other authorized activities. The term includes both disaster and fallout shelters.

- 6 8-22.9 SIGN, ADVERTISING. The term Advertising Sign shall mean any lettered or pictorial matter or device which advertises or informs about a business organization or event, goods, products, services or uses, not available on the property upon which the sign is located and does not include Directional Tract Sign or Community Identification Sign.

(Amended by sec. 3, Ord. 74-1)

- 6 8-22.9.1 SIGN, APARTMENT RENTAL. The term Apartment Rental Sign shall mean a temporary sign located on a site to advertise for initial occupancy of new apartment complexes.

(Based on sec. 2, Ord. 74-1)

- 6 8-22.10 SIGN, BUSINESS. The term Business Sign shall mean any lettered, figured or pictorial matter or device which serves to identify and indicate pertinent facts concerning a business, professional service, manufacturing or industrial enterprise lawfully conducted on the same premises. The term excludes the advertisement of products not handled or services not available on the premises.

(Amended by sec. 3, Ord. 74-1)

- 6 8-22.10.1 SIGN, COMMUNITY IDENTIFICATION. The term Community Identification Sign shall mean a sign serving to identify or otherwise describe a city or an unincorporated community. Community Identification Signs are regulated by Section 8-60.65.1.

(Amended by sec. 3, Ord. 74-1; based on sec. 1, Ord. 68-29)

- 6 8-22.10.2 SIGN, DIRECTIONAL TRACT. The term Directional Tract Sign shall mean a temporary sign containing only the name and location of a subdivision and directions for reaching the same. For the purposes of Section 8-93.0 Directional Tract Sign as defined herein is a Principal Use.

(Based on sec. 1, Ord. 74-1)

- 6 8-22.10.3 SIGN, FREESTANDING. The term Freestanding Sign shall mean a sign supported from the ground by a structure installed primarily for the purpose of supporting the sign. A sign attached to or painted on a fence shall be considered a freestanding sign.

(Based on sec. 1, Ord. 74-1)

- 6 8-22.11 SIGN, IDENTIFICATION. The term Identification Sign shall mean a sign or device on the premises which serves exclusively to designate the name or the name and use of a public or semi-public building, or of a Community Facility, Medical or Residential Care Facility, Multiple Dwelling or Dwelling Group, or Mobilehome Park, or to inform the public as to the use of a lawful parking area, recreation area, or other open use permitted in the District. The term may include bulletin boards for churches or auditoriums.

(Amended by sec. 3, Ord. 74-1)

- 6 8-22.11.1 SIGN, PEDESTRIAN. The term Pedestrian Sign shall mean any lettered, figured, or pictorial matter or device which is oriented towards pedestrian traffic and serves to identify and indicate pertinent facts concerning a business or professional service lawfully conducted on the same premises.

(Based on sec. 2, Ord. 74-1)

- 6 8-22.11.2 SIGN, POLITICAL. The term Political Sign shall mean a sign placed on the premises for the sole purpose of advocating the election of a declared candidate for public office, or relating to an election proposition on the ballot.

((Based on sec. 2, Ord. 74-1)

- 6 8-22.11.3 SIGN, PROJECTING. The term Projecting Sign shall mean a sign which projects twelve inches or more beyond the wall or other vertical surface of the building or structure to which it is attached.

(Based on sec. 2, Ord. 74-1)

- 6 8-22.12 SIGN, SALE OR LEASE. The term Sale or Lease Sign shall mean a sign which serves exclusively to indicate, with pertinent information the offer for sale or lease of the real property or premises upon which it is located, or the original sale or lease of the real property in a tract or subdivision upon which the sign is located. A Directional Tract Sign when not located in the tract or subdivision shall not be deemed to be a Sale or Lease Sign.

- 6 8-22.12.1 SIGN, SUBDIVISION SALE, RENT OR LEASE. The term Subdivision Sale, Rent or Lease Sign shall mean a temporary sign located within the boundaries of a subdivision to advertise the original sale, rental, or lease of building lots or dwellings.

(Based on sec. 2, Ord. 74-1)

- 6 8-22.12.2 SIGN, SERVICE STATION PRICE. The term Service Station Price Sign shall mean a sign indicating gasoline prices and available services when accessory to an existing service station.

(Based on sec. 2, Ord. 74-1)

- 6 8-22.12.3 SIGN, SHOPPING CENTER MASTER IDENTIFICATION. The term Shopping Center Master Identification Sign shall mean an on-site identification sign for a shopping center.

(Based on sec. 2, Ord. 74-1)

- 6 8-22.12.4 SIGN, WALL. The term Wall Sign shall mean a sign attached to, erected against or painted on a building or similar structure, and not extending above or outward from the building face or parapet or structural canope more than twelve inches. Additionally, signs not extending more than 30 inches from a wall parapet or roof, located below the height of the roof of the building to which they are affixed, may be considered a Wall Sign if approved by Site Development Review pursuant to Section 8-95.0 of this chapter.

(Based on sec. 2, Ord. 74-1; amended by sec. 2, Ord. 75-80)

- 6 8-22.12.5 SIGN, WIND. The term Wind Sign shall mean flags, banners, pennants or other similar devices which consist of any material made in any shape, which are fastened together or placed in such manner as to move by wind pressure.

(Based on sec. 2, Ord. 74-1)

- 6 8-22.12.6 SIGN, AREA. The term Sign Area shall mean and be computed as, the entire area within a single continuous rectilinear perimeter or not more than eight straight lines enclosing the extreme limits of the sign; provided that in the case of a sign with more than one exterior surface containing sign copy, the sign area shall be computed as the sum of all exterior faces. Any structure or part of a structure which departs from standard architectural procedures in an attempt to attract attention to the premises by reason of color scheme, building shape or unusual architectural features shall be considered sign area and subject to all pertinent regulations. Where two Advertising Signs are located on the same supporting members and the two faces of the signs are at no point more than two (2) feet from one another, each face shall be considered a single sign.

(Based on sec. 2, Ord. 74-1)

- 6 8-22.13 STORAGE GARAGE. Storage Garage means a Building or portion of a Building available to the general public for the storage of personal property as distinguished from any property stored prior to sale or distribution in conjunction with a business enterprise.

(Amended by sec. 1, Ord. 74-78)

- 6 8-22.14 STORY. Story means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement, cellar, or unused underfloor space is more than six feet above grade as defined herein, or more than 50% of the total perimeter, or is more than 12 feet above grade as defined herein at any point, such basement, cellar, or unused underfloor space shall be considered a story.

- 6 8-22.15 STREET. Street means a public thoroughfare improved and maintained by the State, the County or city, or thoroughfare the design and improvement of which has been approved by the Planning Director, which affords the principal means of access to abutting property. (See also Lane).

- 6 8-22.16 STRUCTURAL ALTERATION. Structural Alteration means any change in the supporting members of a Building, such as bearing walls, columns, beams, girders.

- 6 8-22.17 STRUCTURE. Structure means anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.

- 6 8-22.18 TAVERN. Tavern means any premises where alcoholic beverages are offered for sale for consumption on the premises.

- 6 8-22.19 TRAVEL TRAILER. "Travel Trailer" is a vehicle other than a motor vehicle, which is designed or used for human habitation and which may be moved upon a public highway without a special permit without violating any provision of the Vehicle Code.

(Amended by sec. 4, Ord. 69-93)

- 6 8-22.20 TRAILER PARK. Trailer Park means the use of any Lot or Building Site for the stationing and occupancy of two (2) or more Mobile homes.

(Repealed by sec. 3, Ord. 69-93)

- 6 8-23.0 TWO-FAMILY DWELLING. Two-Family Dwelling means a Building containing two and only two Dwelling Units.

- 6 8-23.1 USE. Use means the purpose for which land or premises or a Building is designed, arranged or intended, or for which it is or may be occupied or maintained let or leased.

- 6 8-23.2 USEABLE OPEN SPACE. Useable Open Space means the area on a Building Site designed and reserved for outdoor living, recreation, pedestrian access and planting, calculated pursuant to Section 8-60.51.

- 6 8-23.3 YARD. Yard means any space on the same Lot with a Building which space is open and unobstructed from the ground upward except as otherwise provided in Section 8-60.33 for Required Yards.

- 6 8-23.4 YARD, FRONT. The measurement of the required depth of a Front Yard, or the required width of the Street Side Yard of a Corner Lot, shall be horizontal and inward from the Street Lot Line at a right angle; provided, however, that where any Street's official right-of-way line, or any Future Width Line pursuant to Section 8-80.0, traverses the Building Site, the measurement here specified shall be taken from such right-of-way line, such Future Width Line or from the Street Lot Line, whichever line is located a greater distance from the centerline of the street. Through Lots have two Front Lot Lines, from each of which a Front Yard shall be measured.

- 6 8-23.5 YARD, REAR. The required Rear Yard is the horizontal measurement inward from the rear Lot Line at a right angle. Where the side Lot Lines converge, or nearly converge, a line ten (10) feet long within the lot, parallel to the front Lot Line and at a maximum distance therefrom shall be deemed to be the rear Lot Line for the purposes of this section. The Rear Yard shall extend across the full width of the rear of the Building Site.

- 6 8-23.6 YARD: REQUIRED. Required Yard means that portion of any Yard which fulfills the Yard requirements of this Chapter; or in the case of an existing deficiency, all of such existing deficient Yard.

- 6 8-23.7 YARD, SIDE. The required Side Yard is the horizontal measurement inward from the side Lot Line at a right angle. The required width of a street Side Yard shall be the horizontal measurement inward and at a right angle from the street Lot Line. The Side Yard shall extend along the side Lot Line from the front Lot Line to the rear Lot Line.

- 6 8-23.8 ZONING ADMINISTRATOR. The Planning Director is designated as the Zoning Administrator, except that he may designate an assistant to act as Zoning Administrator, who may exercise all the powers of the Zoning Administrator.

(Based on sec. 2, Ord. 70-57)

Article 2

Agricultural and Residence Districts

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- 6 8-25.0 Agricultural districts: intent.
- 6 8-25.1 Map designation: A Districts.
- 6 8-25.2 Permitted uses: A Districts.
- 6 8-25.3 Conditional uses: A Districts.
- 6 8-25.4 Accessory uses: A Districts.
- 6 8-25.5 Building site: A Districts.
- 6 8-25.6 Yards: A Districts.
- 6 8-25.7 Signs: A Districts.

P-1 Districts

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- 6 8-26.1 Map designations: R-1 Districts.
- 6 8-26.2 Permitted uses: R-1 Districts.
- 6 8-26.3 Conditional uses: R-1 Districts.
- 6 8-26.4 Accessory buildings and accessory uses.
- 6 8-26.5 Building site: P-1 Districts.
- 6 8-26.6 Yards: R-1 Districts.
- 6 8-26.7 Same: dwelling facing side yard.
- 6 8-26.8 Height of buildings: R-1 District.

R-2 Districts

- 6 8-27.0 Two family residence districts: intent.
- 6 8-27.1 Permitted uses: R-2 Districts.
- 6 8-27.2 Conditional uses: R-2 Districts.
- 6 8-27.3 Building site: R-2 Districts.
- 6 8-27.4 Yard requirements: R-2 Districts.
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- 6 8-28.0 Suburban residence districts: intent.
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- 6 8-29.0 Four-family dwelling districts.
- 6 8-29.1 Permitted uses: R-3 Districts.
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- 6 8-29.3 Density limitations: R-3 Districts.
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ARTICLE 2 - AGRICULTURAL AND RESIDENCE DISTRICTS

A DISTRICTS

- 6 8-25.0 AGRICULTURAL DISTRICTS: INTENT. Agricultural Districts, hereinafter designated as A Districts, are established to promote implementation of General Plan land use proposals for agricultural and other non-urban uses, to conserve and protect existing agricultural uses, and to provide space for and encourage such uses in places where more intensive development is not desirable or necessary for the general welfare.

(Amended by sec. 1, Ord. 72-29)

- 6 8-25.1 MAP DESIGNATION: A DISTRICTS. Every parcel designated on the Zoning Map as being in an A-2 District shall hereafter be subject to those regulations for an A District. All such parcels are hereby declared to be in an A District and shall be so designated upon any revised Zoning Map.

- 6 8-25.2 PERMITTED USES: A DISTRICTS. The following Principle Uses are permitted in an A District:

- a) One one-family dwelling on a building site.
- b) Crop, vine or tree farm, truck garden, plant nursery, greenhouse, apiary, aviary, hatchery, horticulture.
- c) Raising or keeping of poultry, fowl, rabbits, sheep or goats or similar animals.
- d) Grazing, breeding or training of horses or cattle.
- e) Winery.
- f) Fish hatcheries and rearing ponds.
- g) Public or private riding or hiking trails.

(Amended by sec. 1, Ord. 72-29)

- 6 8-25.3 CONDITIONAL USES: A DISTRICTS. In addition to the uses listed in Sections 8-60.60 and 8-61.0, the following are conditional uses and shall be permitted in an A District only if approved by the Zoning Administrator, as provided in Sections 8-94.0 and 8-25.0:

- a) Additional dwellings for persons employed in the agricultural use of subject property and the families of those persons, and/or living quarters for farm laborers, when found by the Zoning Administrator to be necessary to the farming operation.
- b) Outdoor Recreation Facility.
- c) Animal Hospital, kennel.

- d) Killing and dressing of livestock, except when accessory as specified in Section 25.4.
- e) Public or private hunting of wildlife or fishing, and public or private hunting clubs and accessory structures.
- f) Packing house for fruit or vegetables, but not including a cannery, or a plant for food processing or freezing.
- g) Flight strip when accessory or incidental to a permitted or conditional use.
- h) Cemetery, crematory, or other facility for the disposal of the human dead, Pet Cemetery.
- i) Hog ranch.
- j) Drilling for and removal of oil, gas or other hydrocarbon substances.
- k) Radio and television transmission facilities.
- l) Public Utility building or uses, excluding such uses as a business office, storage garage, repair shop or corporation yard.
- m) Boarding stables and riding academies.
- n) Sanitary Land Fill not to include processing salvaged material.
- o) Occupancy of one mobile home by persons directly related to an on-site agricultural pursuit on a parcel containing a minimum of 100 acres where there is no single family dwelling or on a parcel containing a minimum of 200 acres where it can be demonstrated that security cannot be obtained by existing single family dwelling occupancy; provided, however, that no such conditional use permit shall be issued for a period to exceed three (3) years.

(Amended by sec. 5, Ord. 69-23, amended by sec. 2, Ord. 69-83; amended by sec. 1, Ord. 70-25; amended by sec. 4, Ord. 70-57; amended by sec. 2, Ord. 70-76; amended by sec. 1, Ord. 72-6; amended by sec. 1, Ord. 72-29; amended by sec. 1, Ord. 76-22; amended by sec. 1, Ord. 76-46)

6 8-25.4 ACCESSORY USES: A DISTRICTS. When located in an A District, and subordinate to a lawful Use, the following Accessory Uses, in addition to those normally accessory to a Dwelling are permitted:

- a) Farm buildings, including stable, barn, pen, corral, or coop;
- b) Building or room for packing or handling products raised on the premises;
- c) Killing and dressing of poultry, rabbits and other small livestock raised on the premises, but not including an abattoir for sheep, cattle or hogs;
- d) Stand for the sale at retail of items produced or raised on the premises having a ground coverage not in excess of four hundred (400) square feet;
- e) Accessory Business Signs not exceeding an aggregate area of twenty (20) square feet; having no moving parts or illumination;
- f) Administrative office, maintenance building, when accessory to a Principal Use permitted by subparagraph (i) of Section 8-25.3.

6 8-25.5 BUILDING SITE: A DISTRICTS. Every use in an A District shall be on a Building Site having an area not less than one hundred (100) acres.

(Amended by sec. 5, Ord. 70-57; amended by sec. 1, Ord. 72-29)

- 6 8-25.6 YARDS: A DISTRICTS. The Yard requirements in an A District are as follows, subject to the general provisions of Section 8-60.33:

Depth of front yard - not less than thirty (30) feet.

Depth of rear yard - not less than ten (10) feet.

Width of side yards - not less than ten (10) feet.

(Amended by sec. 1, Ord. 72-29)

- 6 8-25.7 HEIGHT OF BUILDINGS: A DISTRICTS. No Dwelling in an A District shall have a building height in excess of twenty-five (25) feet. For other Main Buildings, Section 8-60.9 shall control. Farm Buildings and Structures such as barns, silos and water towers may have a height greater than twenty-five (25) feet, subject to State or Federal laws relating to aviation flight patterns.

(Repealed by sec. 2, Ord. 72-29)

- 6 8-25.7 SIGNS: A DISTRICTS. No sign in an A District shall be illuminated. No more than two (2) Sale or Lease signs shall be placed on any Lot, and no such sign shall have an area in excess of twenty-four (24) square feet, except in conformance with Section 8-60.58 and 8-60.59 (Subdivision). In other respects, Section 8-60.1 shall control.

(Based on sec. 2, Ord. 72- 29)

R-1 DISTRICTS

6 8-26.0 SINGLE FAMILY RESIDENCE DISTRICTS: INTENT. Single family Residence Districts, hereinafter designated as R-1 Districts, are established to provide for and protect established neighborhoods of one-family Dwellings, and to provide space in suitable locations for additional development of this kind, together with appropriate community facilities and allowance for restricted interim cultivation of the soil compatible with such low-density residential development.

6 8-26.1 MAP DESIGNATIONS: R-1 DISTRICTS. Every parcel designated on the Zoning Map as being in the R-E District, as well as every parcel designated as being in an R-1 District, shall be subject to these regulations for a Single Family Residence District, and shall be designated R-1 upon any revised Zoning Map.

6 8-26.2 PERMITTED USES: R-1 DISTRICTS. The following Principal Uses are permitted in an R-1 District:

- a) One One-Family Dwelling;
- b) Field crop, orchard, garden.

6 8-26.3 CONDITIONAL USES: R-1 DISTRICTS. In addition to the uses listed in Sections 8-60.60 and 8-61.0, the following are Conditional Uses in an R-1 District, and shall be permitted only if approved by the Zoning Administrator as provided in Section 8-94.0.

- a) Community Facility;
- b) Community Clubhouse;
- c) Parking Lot, only when established to fulfill the residential parking requirements of this Chapter for a use on an abutting Lot or Lots;
- d) Plant nursery or greenhouse used only for the cultivation and wholesale of plant materials;
- e) Medical or Residential Care Facility;

(Amended by sec. 6, Ord. 69-23; amended by sec. 6, Ord. 70-57; amended by sec. 3, Ord. 75-29)

6 8-26.4 ACCESSORY BUILDINGS AND ACCESSORY USES. (See Section 8-60.20 - 8-63.32, 8-60.59 and 8-60.42)

- 6 8-26.5 BUILDING SITE: R-1 DISTRICTS. Except as otherwise specified in the case of a combining District, every Use in an R-1 District shall be on a Building Site having a Median Lot Width not less than fifty (50) feet and an area not less than five thousand (5,000) square feet. A Corner Building Site shall have a Median Lot Width of not less than sixty (60) feet.
- 6 8-26.6 YARDS: R-1 DISTRICTS. Except as otherwise specified in the case of a Combining District, the minimum requirements for Yards in R-1 Districts shall be as follows, subject to the provisions of Section 8-60.33.
- Depth of Front Yard - twenty (20) feet;
Depth of Rear Yard - twenty (20) feet;
Width of Side Yards - not less than five (5) feet plus one foot for each full ten (10) feet by which the Median Lot Width exceeds fifty (50) feet up to a maximum requirement of ten (10) feet, except that in every case the Side Yard on the street side of a Corner Lot shall have a width not less than ten (10) feet.
- 6 8-26.7 SAME: DWELLING FACING SIDE YARD. No Dwelling shall be so oriented upon a Lot in an "R-1" District as to have its front or living room entrance opening into a Side Yard less than ten (10) feet wide, extending from said entrance to the front yard.
- 6 8-26.8 HEIGHT OF BUILDINGS: R-1 DISTRICT. No Dwelling shall have a height of more than two (2) stories, except as provided by Section 8-60.11 nor shall any Building or Structure have a height in excess of twenty-five (25) feet, except as provided by Sections 8-60.9 and 8-60.10.

R-2 DISTRICTS

- 6 8-27.0 TWO FAMILY RESIDENCE DISTRICTS: INTENT. Two-Family Residence Districts, hereinafter designated as R-2 Districts, are established to provide for the protection of established neighborhoods in which duplex Dwellings are located, and generally to provide a transitional area between single and multiple residence Districts or between single residence Districts and areas of light commercial use, for additional development of this kind.

6 8-27.1 PERMITTED USES: R-2 DISTRICTS. The following Principal Uses are permitted in an R-2 District:

- a) One or two One-Family Dwellings, or one Two-Family Dwelling;
- b) Field crop, orchard, or garden.

6 8-27.2 CONDITIONAL USES: R-2 DISTRICTS. In addition to the uses listed in Sections 8-60.60 and 8-61.0, the following are Conditional Uses in R-2 Districts, and shall be permitted only if approved by the Zoning Administrator as provided in Section 8-94.0:

- a) Community Facility;
- b) Community Clubhouse;
- c) Parking Lot, subject to the same limitations as in Section 8-26.3 (c);
- d) Plant nursery, or greenhouse used only for the cultivation of plant materials;
- e) Medical or Residential Care Facility;
- f) One Dwelling or a Dwelling Group containing altogether not more than three (3) Dwelling Units, where the Lot has an area not less than seven thousand five hundred (7,500) square feet.

(Amended by sec. 7, Ord. 69-23; amended by sec. 3, Ord. 69-83; amended by sec. 7, Ord. 70-57)

6 8-27.3 BUILDING SITE: R-2 DISTRICTS. Except as otherwise specified in the case of a Combining District, every Use in an R-2 District shall be on a Building Site having a Median Lot Width not less than fifty (50) feet and an area not less than five thousand (5,000) square feet. A Corner Building Site shall have a Median Lot Width of not less than sixty (60) feet.

6 8-27.4 YARD REQUIREMENTS: R-2 DISTRICTS. Except as otherwise specified in the case of a Combining District, the Yard requirements for R-2 Districts shall be the same as those set forth for R-1 Districts in Section 8-26.6.

6 8-27.5 SAME: DWELLING FACING SIDE YARD: R-2 DISTRICTS. No Dwelling shall be so oriented upon a Lot in an "R-2" District as to have its front or living room entrance opening into a Side Yard less than ten (10) feet wide, extending from said entrance to the front yard.

6 8-27.6 HEIGHT OF BUILDINGS: R-2 DISTRICT. No Dwelling shall have a height of more than two (2) stories, except as provided by Section 8-60.11; nor shall any building or structure have a height in excess of twenty-five (25) feet, except as provided by Sections 8-60.9 and 8-60.10.

- 6 8-27.8 SPACE BETWEEN BUILDINGS: R-2 DISTRICTS. Whenever more than one Dwelling occupies the same Lot in an R-2 District, all separate Dwellings shall have between them an open space of at least twenty (20) feet in width, exclusive of any parking space.

R-S DISTRICTS

- 6 8-28.0 SUBURBAN RESIDENCE DISTRICTS: INTENT. Suburban Residence Districts, hereinafter designated as R-S Districts, are established to regulate and control the development in appropriate areas of relatively large Building Sites at various densities in harmony with the character of existing or proposed development in the neighborhood, and to assure the provision of light, air and privacy, and the maintenance of Useable Open Space in amounts appropriate to the specific types and numbers of Dwellings permitted. Adherence to a specified Site Development Review plan is required for the disposition of Buildings, the relationship between living areas and those needed for vehicular access, circulation and parking in order to assure the optimum utilization of the Building Site.

- 6 8-28.1 SITE DEVELOPMENT REVIEW: R-S DISTRICTS: WHEN REQUIRED. Whenever the area of a Building Site in an R-S District equals or exceeds five (5) times the area required for one Dwelling Unit, every Dwelling or accessory structure hereafter placed upon such Building Site shall be subject to Site Development Review, pursuant to Section 8-95.0.

- 6 8-28.2 PERMITTED USES: R-S DISTRICT. The following Principal Uses are permitted in any R-S District:

- a) One-family Dwelling, Two-family Dwelling, Multiple Dwelling or Dwelling Group.
- b) Field crop, orchard, garden.

(Amended by sec. 5, Ord. 71-41)

- 6 8-28.3 CONDITIONAL USES: R-S DISTRICTS. In addition to the uses listed in Sections 8-60.60 and 8-60.0, the following are Conditional Uses in R-S Districts, and shall be permitted only if approved by the Zoning Administrator as provided in Section 8-94.0:

- a) Community Facility;
- b) Community Clubhouse;
- c) Parking Lot, as regulated in Section 8-26.3(c);
- d) Plant nursery or greenhouse used only for the cultivation of plant materials;
- e) Medical or Residential Care Facility;
- f) Hospital in Districts requiring not more than fifteen hundred (1,500) square feet of Building Site area per Dwelling Unit;
- g) Mobilehome Parks, as regulated by Article 5 of this chapter.

(Amended by sec. 8, Ord. 69-23; amended by sec. 8, Ord. 69-93; amended by sec. 8, Ord. 70-57)

6 8-28.4 NUMBER OF DWELLING UNITS: R-S DISTRICTS. Except as otherwise provided in the case of a combining District, the number of Dwelling Units permitted on a Building Site in an R-S District shall not exceed the number obtained by dividing the area in square feet of the Building Site by five thousand (5,000), disregarding any fraction.

6 8-28.5 BUILDING SITE: R-S DISTRICTS. Except as otherwise specified in the case of a combining District, and except for Mobilehome Parks as regulated by Article 5 of this Chapter, every Use in an R-S District shall be on a Building Site having a Median Lot Width not less than fifty (50) feet, and an area not less than five thousand (5,000) square feet. A Corner Building Site shall have a Median Lot Width of not less than sixty (60) feet.

(Amended by sec. 4, Ord. 69-93)

6 8-28.6 YARDS: R-S DISTRICTS. Except as otherwise provided in Sections 8-28.7 and 8-28.8, the yard requirements in R-S Districts shall be as follows, subject to the general provisions of Section 8-60.33:

Depth of Front Yard -- not less than twenty (20) feet;
Depth of Rear Yard -- not less than twenty (20) feet;
Width of Side Yard -- not less than ten (10) feet.

(Amended by sec. 4, Ord. 69-93; amended by sec. 6, Ord. 71-41)

6 8-28.7 DISTANCE BETWEEN BUILDINGS. A distance of not less than twenty (20) feet shall be provided between all main Buildings, which space shall be open from its ground to the sky except for the architectural features authorized by Section 8-60.37.

6 8-28.8 WIDTH OF SIDE YARDS: EXCEPTION. When the number of dwelling units permitted on a Building Site does not exceed two (2), the Side Yard requirements shall be the same as those set forth for R-1 Districts.

(Amended by sec. 7, Ord. 71-41)

6 8-28.9 HEIGHT OF BUILDINGS: R-S DISTRICT. No Dwelling shall have a height of more than two (2) stories, except as provided by Section 8-60.11; nor shall any Building or structure have a height in excess of twenty-five (25) feet, except as provided by Sections 8-60.9 and 8-60.10.

- 6 8-28.10 OTHER LIMITATIONS: R-S DISTRICTS. No Main Building shall be distant less than twenty (20) feet from any other Main Building.

Where an Accessory Building or a space designed or used for the parking of a Motor Vehicle occupies any part of the area between the two (2) Dwellings on the same Building Site, such occupied space shall not be included in the calculation of the required minimum distance between them. No parking space shall in any event be situated less than four (4) feet from the wall of any Dwelling, except when within the Dwelling or within an attached carport or garage.

- 6 8-28.11 OTHER REGULATIONS: R-S DISTRICTS. The following regulations shall also apply in R-S Districts:

- a) The width of access driveways shall be not less than that required by Section 8-63.5; provided however, that the Commission may require a driveway of greater width, or provision for a Street where found necessary to assure adequate circulation in the vicinity;
- b) The minimum setback from the Access Driveway shall be as required by Section 8-63.6;
- c) There shall be effective structural or landscape screening of private and utility areas, and a system of walkways, independent of the Driveways to give safe pedestrian access from the Street to every Dwelling Unit and to all commonly utilized open spaces;
- d) The area of Useable Open Space provided on the site, calculated pursuant to Section 8-60.51, shall be not less than six hundred (600) square feet for each Dwelling Unit thereon;

(Amended by sec. 8, Ord. 71-41; amended by sec. 2, Ord. 74-1)

(See Also Section 8-60.39 and 8-60.64)

R-3 DISTRICTS

- 6 8-29.0 FOUR-FAMILY DWELLING DISTRICTS. Four-family Districts, hereinafter designated as R-3 Districts, are established to provide for and protect the development of a limited type of Multiple Dwelling in areas found to be suitable for such use.

- 6 8-29.1 PERMITTED USES: R-3 DISTRICTS. The following Principal Uses are permitted in an R-3 District:

- a) One-family Dwelling, Two-family Dwelling, Multiple Dwelling, or Dwelling Group, up to a total not to exceed four (4) Dwelling Units;
- b) Field crop, orchard or garden.

6 8-29.2 CONDITIONAL USES: R-3 DISTRICTS. In addition to the uses listed for Sections 8-60.60 and 8-61.0, the following are Conditional Uses in R-3 Districts, and shall be permitted only if approved by the Zoning Administrator as provided in Section 8-94.0:

- a) Community Facility;
- b) Community Clubhouse;
- c) Hospital;
- d) Medical or Residential Care Facility;
- e) Plant nursery, or greenhouse used only for the cultivation of plant materials;
- f) Parking Lot, as regulated in Section 8-26.3(c).

(Amended by sec. 9, Ord. 69-23; amended by sec. 9, Ord. 70-57)

6 8-29.3 DENSITY LIMITATIONS: R-3 DISTRICTS. The number of Dwelling Units on a Lot or Building Site in an R-3 District shall not exceed one (1) for each full two thousand (2,000) square feet of the area thereof, or be in any case more than four (4).

6 8-29.4 BUILDING SITE: R-3 DISTRICTS. Except as otherwise specified in the case of a combining District, every Use in an R-3 District shall be on a Building Site having a Median Lot Width not less than fifty (50) feet and an area not less than five thousand (5,000) square feet. A Corner Building Site shall have a Median Lot Width of not less than sixty (60) feet.

6 8-29.5 YARDS: R-3 DISTRICTS. Except as otherwise required in the case of a combining District, the minimum requirements for Yards in an R-3 District shall be as follows: subject to the general provisions of Section 8-60.33:

Depth of Front Yard - not less than twenty (20) feet;
Depth of Rear Yard - not less than twenty (20) feet;
Width of Side Yard - not less than five (5) feet plus one foot for each full ten (10) feet by which the Median Lot Width exceeds fifty (50) feet up to a maximum requirement of ten (10) feet, but in no case less than six (6) feet for an interior Side Yard or less than ten (10) feet on the street side of a Corner Lot, or less than required by Section 8-29.8.

6 8-29.6 HEIGHT OF BUILDINGS: R-3 DISTRICT. No Dwelling shall have a height of more than two (2) stories, except as provided by Section 8-60.11; nor shall any Building or Structure have a height in excess of twenty-five (25) feet, except as provided by Sections 8-60.9 and 8-60.10.

6 8-29.8 OTHER REGULATIONS: R-3 DISTRICTS. The following regulations shall also apply in R-3 Districts:

- a) At least one Side Yard shall have a width not less than fifteen (15) feet in the case of a four-family dwelling and no Multiple Dwelling shall be so oriented upon a Lot as to have its main or living room entrance opening into a Side Yard less than twenty (20) feet wide;
- b) No Dwelling shall be located in the rear of another Dwelling on the same Building Site unless one Side Yard is at least fifteen (15) feet wide, except in the case of a Dwelling Group arranged around three (3) sides, or on two (2) opposite sides of an open unoccupied space other than a Side Yard, having a width not less than twenty-five (25) feet and extending to the Front Lot Line;
- c) No Dwelling shall be located less than twenty (20) feet from any other dwelling on the Lot, and none of such minimum required space shall be used as parking space;
- d) The minimum width of Access Driveway shall be as required by Section 8-63.5;
- e) The minimum setback from Access Driveway shall be as required by Section 8-63.6. (See also Sections 8-60.59 and 8-60.64)

R-4 DISTRICTS

6 8-30.0 MULTIPLE RESIDENCE OR R-4 DISTRICTS: INTENT. Multiple Residence Districts, hereinafter designated as R-4 Districts, are established to provide for larger types of Multiple Dwellings in relatively small areas generally near business uses or in the vicinity of major thoroughfares, together with appropriate community facilities and compatible types of group living quarters.

6 8-30.1 PERMITTED USES: R-4 DISTRICTS. The following Principal Uses are permitted in an R-4 District.

- a) All uses permitted in R-3 Districts, pursuant to Section 8-29.1;
- b) Multiple Dwelling or Dwelling Group, provided that on any Building Site with an area which equals or exceeds five (5) times the area for one Dwelling Unit, every Dwelling Unit placed on such Building Site shall be subject to Site Development Review pursuant to Section 8-95.0;
- c) Fraternity or sorority house, accredited by an institution of higher learning.

6 8-30.2 CONDITIONAL USES: R-4 DISTRICTS. In addition to the uses listed for Section 8-60.60 and 8-61.0, the following are Conditional Uses in an R-4 District, and shall be permitted only if approved by the Zoning Administrator as provided in Section 8-94.0:

- a) Community Facility;
- b) Parking lot, as regulated in Section 8-26.3(c);
- c) Clubhouse;
- d) Medical or Residential Care Facility;
- e) Hospital;
- f) Boarding House.

(Amended by sec. 10, Ord. 69-23; amended by sec. 10, Ord. 70-57)

6 8-30.3 DENSITY LIMITATIONS: R-4 DISTRICTS. Except as otherwise provided in Section 8-30.8, the maximum of Dwelling Units permitted on any Lot in an R-4 District shall be calculated by dividing the area of the building Site by twelve-hundred fifty (1,250). The density limitations of this section, and the exceptions thereto provided in Section 8-30.8, are intended to indicate maximum residential occupancy, when all the regulations of this Chapter are observed. If any other requirement operates to further restrict the number of dwelling units on a Building Site, such other requirement shall have prior force.

6 8-30.4 BUILDING SITE: R-4 DISTRICTS. Except as otherwise specified in the case of a combining District, every Use in an R-4 District shall be on a Building Site having a Median Lot Width not less than sixty (60) feet and an area not less than six thousand (6,000) square feet. A Corner Building Site shall have a Median Lot Width of not less than seventy (70) feet.

6 8-30.5 YARDS: R-4 DISTRICTS. Except as otherwise specified in the case of a combining District, the minimum requirements for Yards in an R-4 District shall be as follows, subject to the general provisions of Section 8-60.33:

Depth of Front Yard - not less than twenty (20) feet;

Depth of Rear Yard - not less than twenty (20) feet, plus three (3) feet for every full ten (10) feet by which the building Height exceeds thirty-five (35) feet;

Width of Side Yard - not less than ten (10) feet plus one (1) foot for each full ten (10) feet by which the Median Lot Width exceeds fifty (50) feet, but in no case shall it be required to be more than thirty (30) feet, or be less than required by Section 8-30.9.

6 8-30.6 HEIGHT OF BUILDING: R-4 DISTRICTS. No Dwelling in an R-4 District shall have a building height in excess of forty-five (45) feet; provided that where the lot coverage does not exceed thirty (30) per cent the Building Height may exceed forty-five (45) feet but shall not exceed seventy-five (75) feet. For other Main Buildings, Section 8-60.9 shall control.

6 8-30.7 LOT COVERAGE: R-4 DISTRICTS. The Lot Coverage in R-4 Districts, calculated as provided in Section 8-60.50, shall not exceed forty (40) percent of the area of the Lot. It is also required that there be provided on the Lot not less than six hundred (600) square feet of Useable Open Space for each Dwelling Unit thereon, except as otherwise provided in Section 8-30.8.

6 8-30.8 DENSITY AND COVERAGE EXCEPTION: R-4 DISTRICTS. When the Lot Coverage is less than required by Section 8-30.7, the required Lot area per Dwelling Unit is reduced as shown in the following table, but only if the amount of Useable Open Space of each Dwelling Unit on the Lot, calculated pursuant to Section 8-60.51, is equal to or greater than that shown on the same line in Column 2 of the table.

COLUMN 1	COLUMN 2	COLUMN 3
Maximum Lot Coverage	Useable Open Space	Lot Area Per Dwelling Unit
40 per cent	600 square feet	1,250
35 per cent	600 square feet	1,200
30 per cent	500 square feet	1,100
20 per cent	400 square feet	1,000

6 8-30.9 OTHER REGULATIONS: R-4 DISTRICTS.

- a) In an R-4 District, no Main Building shall be distant less than twenty (20) feet from any other Main Building plus three (3) feet for every ten (10) feet by which either Building exceeds thirty-five (35) feet in height.
- b) Where an Accessory Building or space designed or used for the parking of a motor vehicle occupies any part of the area between two (2) dwellings on the same Building Site, such occupied space shall not be included in the calculation of the required minimum distance between them.
- c) No parking space shall in any event be situated less than four (4) feet from the wall of any Dwelling, except when within the dwelling or within an attached carport or garage.
- d) All the regulations set forth for R-S Districts in subparagraphs (a), (b) and (c) of Section 8-28.11 shall also apply and control in R-4 Districts.

(Amended by sec. 2, Ord. 74-1)

6 8-30.10 OTHER REGULATIONS: R-4 DISTRICTS. The following regulations shall also apply in R-4 Districts:

- a) One Identification Sign is permitted a multiple dwelling or a dwelling group in an R-4 District, but shall not be illuminated, nor have an area in excess of twelve (12) square feet.
(See also Sections 8-60.59 and 8-60.63)

§ 8-31.0 PLANNED DEVELOPMENT DISTRICTS: INTEND. Planned Development Districts, hereinafter designated as PD Districts, are established to encourage the arrangement of a compatible variety of uses on suitable lands in such a manner that the resulting development will:

- a) Be in accord with the Policies of the General Plan of the County of Alameda;
- b) Provide efficient use of the land that includes perservation of significant open areas and natural and topographic landscape features with minimum alteration of natural land forms;
- c) Provide an environment that will encourage the use of common open areas for neighborhood or community activities and other amenities;
- d) Be compatible with and enhance the development of the general area;
- e) Create an attractive, efficient and safe environment.

(Amended by Sec. 2, Ord. 75-37)

§ 8-31.1 USES PERMITTED. All uses permitted by the Suburban Residence District and the "D" Combining Districts are permitted uses, subject to the provisions of this Chapter.

(Repealed by Sec. 1, Ord. 75-37)

§ 8-31.2 CHANGE IN ZONING DISTRICT REQUIRED. The provisions of this Article shall become applicable to any given development only upon change in zoning district to a Planned Development District in accordance with the provision of Article 8 (Procedures) of this Chapter, with the following exceptions to the provisions of said Article 8:

- a) Any amendment to establish this District shall be initiated by the record owner or owners of all property petitioned to be reclassified;
- b) The finding that the proposal will benefit the public necessity, convenience and general welfare be based, in part on the conformance of the proposal with provisions of this Article;
- c) Any change in zoning district accomplished in accordance with this Article is subject to reveiw by the Planning Commission at the expiration of two (2) years from the effective date of said change, if during the two (2) year period construction in accordance with the approved plan is not commenced or if the approved staging plan has not been followed. At the conclusion of the review by the Planning Commission, the Planning Commission may recommend to the Board of Supervisors that the lands affected by the Planned Development District be rezoned from the Planned Development District. Said Hearings by the Planning Commission and the Board of Supervisors shall be in accordance with the provisions of this Chapter.
- d) A Planned Development District shall be established by the adoption of an Ordinance by the Board of Supervisors reclassifying the described property to a Planned Development District and adopts, by reference, a Land Use and Development Plan, the provisions of which shall constitute the regulations for the use, improvement and maintenance of the property within the boundaries of the plan.

(Amended by Sec. 9, Ord. 71-41; Amended by Sec. 2, Ord. 75-37)

- 6 8-31.3 PRELIMINARY PLAN - APPLICATION. Any applicant desiring a change in zoning District to a Planned Development District shall, prior to submitting an application for change, submit a Preliminary Land Use and Development Plan to the Planning Commission.
- 6 8-31.4 PRELIMINARY PLAN - PROFESSIONAL SERVICES REQUIRED. The Preliminary Plan shall contain certifications that a Civil Engineer, a Landscape Architect and an Architect or a Registered Building Designer have participated in the preparation of the Preliminary Plan.
- 6 8-31.5 PRELIMINARY PLAN - INFORMATION REQUIRED. The Preliminary Plan shall be in the form specified by the Planning Commission.
- 6 8-31.6 PRELIMINARY PLAN - FILING FEE. Any Preliminary Plan submitted to the Planning Commission shall be accompanied by a filing fee of \$25.
(Repealed by sec. 1, Ord.71-41)
- 6 8-31.7 PRELIMINARY PLAN - NOTICE TO THE PUBLIC. Upon receipt of a Preliminary Plan in the form specified by the Planning Commission notice of hearing shall be made by publication in a newspaper of general circulation in the County, and by posting said notice in conspicuous places close to the affected property for at least ten (10) days prior to the date of such hearing.
- 6 8-31.8 PRELIMINARY PLAN - ACTION BY THE PLANNING COMMISSION. After consideration of the Preliminary Plan, the testimony at the public hearing, and the reports of any interested referral agency, the Planning Commission shall advise the applicant of its evaluation of the Plan. This evaluation shall include statements regarding:

whether, in the opinion of the Planning Commission, the public interest would be best served by any Planned Development District within the subject area; and may include statements regarding;

whether, in the opinion of the Planning Commission, the intent and provisions of this district could be met by the development as indicated on the Preliminary Plan and if so, of the specific development objectives that would tend to render the proposal in compliance with these provisions, such as: maximum dwelling units permitted based on a refinement of the ranges found in the General Plan;

specified developmental objectives relative to particular characteristics of the site and its environs that should be obtained in the ultimate development.

6 8-31.9 APPEALS TO THE BOARD OF SUPERVISORS. Within fifteen (15) days after the conclusion of Planning Commission hearing on a Preliminary Plan as provided in Section 8-31.8 of this Article, an appeal to the Board of Supervisors may be taken by any property owner or other person aggrieved, or by an officer, department, board or commission of the County affected by any decision of the County Planning Commission. Such appeal shall be taken within said fifteen (15) day period by filing with the Clerk of the Board of Supervisors the original and a copy of a notice of appeal specifying the grounds of said appeal. The Clerk of the Board of Supervisors shall note thereon the date said notice of appeal was filed and forthwith transmit a copy of said notice to the Secretary of the Planning Commission. The Secretary of the Planning Commission shall forthwith transmit to the Clerk of the Board of Supervisors the record upon which the action appealed from was taken. The Board of Supervisors shall give written notice of the time and place for hearing such appeal to the applicant, and to any other person requesting such notice and depositing with the Clerk of the Board of Supervisors a self-addressed, stamped envelope to be used for such purpose, and to the County Planning Commission. The Board of Supervisors may hear additional evidence and may sustain, modify, reject or overrule any decision of the County Planning Commission and may make such findings and decision as are not inconsistent with the requirements of state law and local county ordinances.

(Repealed by sec. 1, Ord. 71-41)

6 8-31.10 CHANGE IN ZONING DISTRICT - APPLICATION. Any petition for a change in Zoning District to a Planned Development District shall be submitted to the Planning Commission in the form of a Land Use and Development Plan, based on the above Preliminary Plan and according to Sections 8-103.0 through 8-103.5.

6 8-31.11 LAND USE AND DEVELOPMENT PLAN - PERSONS AUTHORIZED TO PREPARE
Same as provided in Section 8-31.4.

6 8-31.12 LAND USE AND DEVELOPMENT PLAN - INFORMATION REQUIRED. The Land Use and Development Plan shall be in the form specified by the Planning Commission.

6 8-31.13 LAND USE AND DEVELOPMENT PLAN - MINIMUM PROJECT AREA. The Land Use and Development Plan shall encompass property under one ownership or control, containing a minimum of 25 acres.
(Repealed by sec. 1, Ord. 71-41)

6 8-31.14 LAND USE AND DEVELOPMENT PLAN - MAXIMUM DENSITY. The Land Use and Development Plan shall provide for a residential density within the range specified for the area and in accord with the Land Use Principles stated in the County General Plan. When density in the General Plan is specified in terms of net residential land per housing unit, the net residential land in the Planned Development District shall be computed on the basis of total land area less any land for which fee title will be required for public facilities and utilities including but not limited to parks, schools, transmission lines, and public roads, and less lands required for other circulation facilities serving more than one structure.

(Repealed by sec. 1, Ord. 71-15)

6 8-31.15 COMMON AREAS - PROVISION, OWNERSHIP AND MAINTENANCE. Maintenance of all lands included within the plan not utilized for building sites State and County Roads and public uses shall be assured by recorded land agreements, covenants, proprietary control or other stated devices which attain this objective. The proposed method of assuring the maintenance of such lands shall be included as part of the Land Use and Development Plan.

(Amended by Sec. 1, Ord. 71-51; Amended by Sec. 2, Ord. 75-37)

6 8-31.16 LAND USE AND DEVELOPMENT PLAN - ACTION BY THE PLANNING COMMISSION AND THE BOARD OF SUPERVISORS. A duly filed Land Use and Development Plan shall be considered by the Planning Commission and the Board of Supervisors as provided for amendments by Section 8-31.2 and Article 8 of this Chapter.

6 8-31.17 LAND USE SHALL CONFORM. Except as otherwise provided in Section 8-13.14, any use of land within the boundaries of a Planned Development District adopted in accordance with the provisions of this Article shall conform to the approved Land Use and Development Plan.

(Amended by sec. 10, Ord. 71-41; Amended by sec. 2, Ord. 75-37)

6 8-31.18 STRUCTURES NOT INDICATED ON THE LAND USE AND DEVELOPMENT PLAN. If, in the opinion of the Planning Commission, a proposed structure, facility or land use not indicated on a Land Use and Development Plan approved by the Board of Supervisors in accordance with Section 8-31.2 of this Article does not materially change the provisions of the approved Land Use and Development Plan, the structure, facility or land use may be permitted subject to securing a Conditional Use permit as provided by Article 8 of this Chapter.

If, in the opinion of the Planning Commission, a proposed structure, facility or land use not indicated on a Land Use and Development Plan approved by the Board of Supervisors in accordance with Section 8-31.2 of this Article does materially change the provisions of the approved plan, the proposed structure, facility or land use shall be permitted only if so indicated on a Land Use and Development Plan adopted by the Board of Supervisors in accordance with this Article.

(Amended by sec. 2, Ord. 75-37)

6 8-31.19 DEPOSIT TO COVER COST OF INSPECTIONS: UNDER DEPOSIT; OVER DEPOSIT. Prior to the installation of any improvements or prior to the issuance of any building permit for any structure within the boundaries of a Land Use and Development Plan approved by the Board of Supervisors in accordance with Section 8-31.2 of this Article, there shall be deposited with the County Treasurer, a sum in the amount estimated by the County Building Official as being sufficient to cover the cost of inspection for all improvements not requiring the issuance of any other permit by the provisions of the Alameda County Building, Electrical and Plumbing Codes. If the amount so deposited exceeds the actual cost to the County the depositor shall be reimbursed for the balance remaining; if the actual cost of inspection exceeds the deposited amount the Building Official shall withhold final inspection and approval of occupancy until there is deposited with the County Treasurer an additional sum as estimated by the Building Official.

Article 3

Combining Districts

B Districts

- 6 8-40.0 B Districts: intent.
- 6 8-40.1 Regulations: B Districts.
- 6 8-40.2 Building Site, B Districts.

D Districts

- 6 8-41.0 Combining D Districts.
- 6 8-41.1 Map designations: D Districts.
- 6 8-41.2 Regulations: D Districts.
- 6 8-41.3 Number of dwelling units: D Districts.

L Districts

- 6 8-42.0 Combining L Districts: intent.
- 6 8-42.1 Regulations: L Districts.
- 6 8-42.2 Uses Permitted: L Districts.
- 6 8-42.3 Conditional uses: L Districts.
- 6 8-42.4 Performance Standards.

- 6 8-43.0 Combining X Districts: intent.
- 6 8-43.1 Performance standards: X Districts.

- 6 8-44.0 S Districts. Intent.
- 6 8-44.1 Regulations: S Districts.
- 6 8-44.2 Uses Prohibited: S Districts.

ARTICLE NO. 3 - COMBINING DISTRICTS

B DISTRICTS

- 8-40.0 B DISTRICTS: INTENT. The Districts hereinafter designated combining B Districts are established to be combined with other Districts in order to modify the site area and yard requirements, and thereby to vary the intensity of land use so as to give recognition to special conditions of topography, accessibility, water supply or sewage disposal, and to provide for development pursuant to adopted plans.
- 8-40.1 REGULATIONS: B DISTRICTS. In a combining B District, all regulations shall remain the same as in the District with which it is combined, except as to the matters hereinafter specified. Every parcel designated on the Zoning Map as being in a combining District identified by one of the symbols shown in Column 2 of the table in Section 8-40.2 shall become and hereafter be subject to these regulations for the combining District identified by the symbol shown on the same line in Column 1 of said table, and shall be so shown on any revised Zoning Map.
- 8-40.2 BUILDING SITE, B DISTRICTS. The B Districts shown in Column 1 of the following table are established, and the minimum Building Site area, Median Lot Width and Yard dimensions shall be as shown opposite each in the four right hand columns of the table.

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
Symbol	(Prior Symbol)	Site Area Square feet	Median Lot Width	Depth of Front Yard	Width of Side Yard
B-8	B-1	8,000	80 feet	25 feet	10 feet
B-10	B-2	10,000	100 feet	30 feet	15 feet
B-20	B-3	20,000	150 feet	30 feet	15 feet
B-40	B-4	40,000	150 feet	30 feet	20 feet
B-E	B-5	(As specified in the amendment creating the District)			

Provided, however, that where a B District is combined with any M District, the yard requirements of Columns 5 and 6 shall not apply unless specified, in the case of a B-E District, in the amendment creating it.

D DISTRICTS

- 8-41.0 COMBINING D DISTRICTS. The Districts hereinafter designated as combining D Districts are established to be combined with R-S Districts in order to provide for variations in the intensity of development and thus to create, maintain and protect patterns of residential use in conformance with adopted plans concerning the ratio of Dwelling Units to land area.

6 8-41.1 MAP DESIGNATIONS: D DISTRICTS. Every parcel designated on the Zoning Map as being in a combining District identified by one of the symbols shown in Column 2 of the table in Section 8-41.3 shall become and thereafter be subject to these regulations for the combining D District identified by the symbol shown on the same line in Column 1 of said table, and shall be so shown on any revised Zoning Map or part thereof.

6 8-41.2 REGULATIONS: D DISTRICTS. In a combining D District, all regulations shall be the same as in an "R-S" District except as to the matters specified in Section 8-41.3.

6 8-41.3 NUMBER OF DWELLING UNITS: D DISTRICTS. The symbols which designate each of the several combining D Districts are shown in Column 1 of the following table. In each such designated District provided the other District requirements are met, the maximum number of Dwelling Units permitted shall be calculated by dividing the area in square feet of the Building Site by the figure on the same line in Column 3 of said table showing the required number of square feet per Dwelling Unit, or, in the case of a D-3 District, by the number specified in the amendment creating the District. In making the calculation, fractions shall be disregarded, except that where such calculation results in an allowance of more than seven (7) units, a fraction greater than three fourths (3/4) shall be adjusted to the next higher whole number.

COLUMN 1	COLUMN 2	COLUMN 3
Symbol	(Prior Symbol)	REQUIRED NUMBER OF SQUARE FEET OF BUILDING SITE PER DWELLING UNIT
D-35	D-1	3,500
D-25	D-5	2,500
D-20	D-2	2,000
D-15	D-4	1,500
D-3	D-3	As specified in the amendment creating the District, but in no case less than 1,500.

L DISTRICTS

6 8-42.0 COMBINING L DISTRICTS: INTENT. The Districts hereinafter designated as combining L Districts are established to allow additional uses of a rural nature, in suburban or rural areas where the lot pattern, size and other conditions are such that the specified uses will not be incompatible with the residential environment.

(Amended by sec. 1, Ord. 72-101)

6 8-42.1 REGULATIONS: L DISTRICTS. In a combining L District, all regulations shall remain the same as in the R District with which it is combined, except as to the matters hereinafter specified. Every parcel designated on the Zoning Map as being in a combining A District, as well as every parcel designated thereon as being a combining L District shall be subject to these regulations for an L District, and shall be so shown on any revised Zoning Map or part thereof.

6 8-42.2 USES PERMITTED: L DISTRICTS. The following Uses in addition to those permitted in the District with which it is combined are accessory uses permitted in an L District on a site of 40,000 square feet minimum size:

- (a) 50 fowl (chicken, duck, goose, turkey) or rabbits, guinea pigs, or other similar small animals;
- (b) Two sheep, or two goats or other similar domestic animals or one cow, or one horse, or other similar domestic animal or any combination thereof, for each 20,000 square feet of lot area;
- (c) Grazing or pasturing of horses for remuneration, on minimum area required by Section 8-42.2(b) above.

(Amended by sec. 4, Ord. 68-27; amended by sec. 2, Ord. 72-101)

6 8-42.3 CONDITIONAL USES: L DISTRICTS. The following are Conditional Uses in an L District and shall be permitted only if approved by the Zoning Administrator as provided in Section 8-94.0:

- (a) The keeping of a number of animals in excess of that permitted by Section 8-42.2 above;
- (b) Kennel;
- (c) Boarding Stables and Riding Academies;
- (d) Sale of any products of any permitted use, including a stand for the sale at retail of such items as regulated in sub-paragraph (d) of Section 8-25.4.

(Amended by sec. 5, Ord. 68-27; amended by sec. 11, Ord. 70-57; amended by sec. 3, Ord. 72-101)

6 8-42.4 ACCESSORY USES: L DISTRICTS. When located in an L District, and subordinate to a lawful use, the following are Accessory Uses, in addition to those accessory to a Dwelling in an R District:

- (a) Stable, barn, pen, corral or coop as regulated by Section 8-60.29;
- (b) Sale of any products of any permitted use, including a stand for the sale at retail of such items as regulated in sub-paragraph (d) of Section 8-25.4.

(Repealed by sec. 4, Ord. 72-101)

6 8-42.4 PERFORMANCE STANDARDS: No kind or number of animals or fowl may be kept so as to cause dust, insects, odor, noise, or other nuisance so as to create health or safety hazard to animals, persons or adjacent properties.

(Based on sec. 5, Ord. 72-101)

X DISTRICTS

- 6 8-43.0 COMBINING X DISTRICTS: INTENT. The Districts hereinafter designated as Combining X Districts are established to be combined with other Districts in certain areas which are uniquely susceptible to air contamination because of terrain, contour, elevation, winds or other meteorological and physical conditions. The regulations are intended to prevent concentration of air contaminants which may cause injury, detriment, nuisance or annoyance to the health or welfare of persons or damage to property. The regulations of any District with which an X District is combined shall remain the same, except as to matters specified in Section 8-43.1, which shall apply in lieu of the corresponding regulations otherwise effective.
- 6 8-43.1 PERFORMANCE STANDARDS: X DISTRICTS. No Use shall be permitted in a Combining X District which causes, or is found by the Zoning Administrator to involve:
- a) The emission of odorous gases or odorous matter in quantities such as to be perceptible at any Lot Line of the Lot or Building Site upon which the source is situated; or
 - b) The emission of visible gray smoke of a shade or quality darker than No. 1 on the Ringlemann Chart as specified in Circular 7718 of the United States Bureau of Mines, or its equivalent opacity as determined by the Bay Area Pollution Control District, for more than three (3) minutes in any one hour.

(Amended by sec. 12, Ord. 70-57)

- 6 8-44.0 S DISTRICTS. INTENT. The Districts hereinafter designated as S Combining Districts are established to be used in conjunction with commercial districts located in areas where characteristics of the business uses require more stringent signing practices.

(Based on sec. 1, Ord. 74-31)

- 6 8-44.1 REGULATIONS: S DISTRICTS. In a Combining S District, all regulations shall remain the same as in the C District with which it is combined, except as to the matters hereinafter specified.

(Based on sec. 1, Ord. 74-31)

- 6 8-44.2 USES PROHIBITED: S DISTRICTS.

a) Advertising Signs.

(Based on sec. 1, Ord. 74-31)

Article 4

Commercial and Industrial Districts

H-1 Districts

- 6 8-45.0 Highway frontage districts: intent.
- 6 8-45.1 Permitted uses: H-1 Districts.
- 6 8-45.2 Conditional uses: H-1 Districts.
- 6 8-45.3 Accessory uses: H-1 Districts.
- 6 8-45.4 Building sites: H-1 Districts.
- 6 8-45.5 Yards: H-1 Districts.
- 6 8-45.6 Height of building: H-1 Districts.
- 6 8-45.7 Coverage limitations: H-1 Districts.
- 6 8-45.8 Signs: H-1 Districts.
- 6 8-45.9 Other regulations: H-1 Districts.

C-O Districts

- 6 8-46.0 Administrative office districts: intent.
- 6 8-46.1 Permitted uses: C-O Districts.
- 6 8-46.2 Conditional uses: C-O Districts.
- 6 8-46.21 Site Development Review: C-O Districts.
- 6 8-46.3 Building site: C-O Districts.
- 6 8-46.4 Yards: C-O Districts.
- 6 8-46.5 Height of buildings: C-O Districts.
- 6 8-46.6 Coverage limitations: C-O Districts.
- 6 8-46.7 Signs: C-O District.
- 6 8-46.7.1 Office Building Master Identification Sign: C-O Districts.
- 6 8-46.8 Other regulations: C-O Districts.

C-N Districts

- 6 8-47.0 Neighborhood business districts: intent.
- 6 8-47.1 Permitted uses: C-N Districts.
- 6 8-47.2 Conditional uses: C-N Districts.
- 6 8-47.21 Site Development Review: C-N Districts.
- 6 8-47.3 Yards: C-N Districts.
- 6 8-47.4 Height of building: C-N Districts.
- 6 8-47.5 Signs: C-N Districts.
- 6 8-47.5.1 Service Station Sign Display Structure: C-N Districts.
- 6 8-47.6 Open uses excluded: C-N Districts.
- 6 8-47.7 Other regulations: C-N Districts.

C-1 Districts

- 6 8-48.0 Retail business districts: intent.
- 6 8-48.1 Permitted uses: C-1 Districts.
- 6 8-48.15 Interim Prohibition.
- 6 8-48.2 Conditional uses: C-1 Districts.
- 6 8-48.3 Accessory uses: C-1 Districts.
- 6 8-48.4 Site development review: C-1 Districts.
- 6 8-48.5 Yards: C-1 Districts.
- 6 8-48.6 Front yards: C-1 Districts.
- 6 8-48.7 Side and rear yards: C-1 Districts.
- 6 8-48.8 Height of buildings: C-1 Districts.
- 6 8-48.8.1 Business signs: C-1 Districts.
- 6 8-48.8.2 Low profile signs: C-1 Districts.
- 6 8-48.8.3 Shopping center master identification sign(s): C-1 Districts.
- 6 8-48.8.4 Office building master identification signs: C-1 Districts.
- 6 8-48.8.5 Service Station Sign Display Structure: C-1 Districts.
- 6 8-48.9 Other regulations: C-1 Districts.

C-2 Districts

- 6 8-49.0 General commercial districts: intent.
- 6 8-49.1 Permitted uses: C-2 Districts.
- 6 8-49.2 Conditional uses: C-2 Districts.
- 6 8-49.3 Site development review: C-2 Districts.

6	8-49.4	<u>Front yards: C-2 Districts.</u>
6	8-49.5	<u>Side and rear yards: C-2 Districts.</u>
6	8-49.6	<u>Height of building: C-2 Districts.</u>
6	8-49.6.1	<u>Business signs: C-2 Districts.</u>
6	8-49.6.2	<u>Low Profile Sign: C-2 Districts.</u>
6	8-49.6.3	<u>Shopping center master identification sign(s): C-2 Districts.</u>
6	8-49.6.4	<u>Office building master identification sign: C-2 Districts.</u>
6	8-49.6.5	<u>Service Station Display Structure: C-2 Districts.</u>
6	8-49.7	<u>Other regulations: C-2 Districts.</u>

M-P Districts

6	8-50.0	<u>Industrial park districts: intent.</u>
6	8-50.1	<u>Performance standards: M-P Districts.</u>
6	8-50.2	<u>Permitted uses: M-P Districts.</u>
6	8-50.3	<u>Conditional uses: M-P Districts.</u>
6	8-50.4	<u>Building site: M-P Districts.</u>
6	8-50.5	<u>Yards: M-P Districts.</u>
6	8-50.6	<u>Height of building: M-P Districts.</u>
6	8-50.7	<u>Coverage, limitation: M-P Districts.</u>
6	8-50.8	<u>Signs: M-P Districts.</u>
6	8-50.9	<u>Other regulations: M-P Districts.</u>

M-1 Districts

6	8-51.0	<u>Light industrial districts: intent.</u>
6	8-51.1	<u>Map designations: M-1 Districts.</u>
6	8-51.2	<u>Permitted uses: M-1 Districts.</u>
6	8-51.3	<u>Conditional uses: M-1 Districts.</u>
6	8-51.4	<u>Accessory uses: M-1 Districts.</u>
6	8-51.5	<u>Building site: M-1 Districts.</u>
6	8-51.6	<u>Yards: M-1 Districts.</u>
6	8-51.7	<u>Height of buildings: M-1 Districts.</u>
6	8-51.8	<u>Performance standards: M-1 Districts.</u>
6	8-51.9	<u>Business Signs, Low Profile Sign, Service Station and Sign Display Structure: M-1 Districts.</u>
6	8-51.10	<u>Other regulations: M-1 Districts.</u>

M-2 Districts

6	8-52.0	<u>Heavy industrial districts: intent.</u>
6	8-52.1	<u>Permitted uses: M-2 Districts.</u>
6	8-52.2	<u>Conditional uses: M-2 Districts.</u>
6	8-52.3	<u>Same.</u>
6	8-52.4	<u>Accessory use: M-2 District.</u>
6	8-52.5	<u>Building site: M-2 Districts.</u>
6	8-52.6	<u>Yards: M-2 Districts.</u>
6	8-52.7	<u>Height of buildings: M-2 Districts.</u>
6	8-52.8	<u>Performance standards: M-2 Districts.</u>
6	8-52.9	<u>Business Signs, Low Profile Sign, Service Station and Sign Display Structure: M-2 Districts.</u>
6	8-52.10	<u>Other regulations: M-2 Districts.</u>

F-P Districts

6	8-53.0	<u>Flood plain districts: intent.</u>
6	8-53.1	<u>Permitted uses: F-P Districts.</u>
6	8-53.2	<u>Conditional uses: F-P Districts.</u>
6	8-53.3	<u>General regulations: F-P Districts.</u>
6	8-53.4	<u>Special regulations: F-P Districts.</u>
6	8-53.5	<u>Same: referrals.</u>

P Districts

6	8-54.0	<u>Parking districts: intent.</u>
6	8-54.1	<u>Permitted uses: parking districts.</u>
6	8-54.2	<u>Regulations: parking districts.</u>

T Districts

6	8-55.0	<u>Trailer park districts: intent.</u>
6	8-55.1	<u>Permitted uses: T Districts.</u>
6	8-55.2	<u>Conditional uses: T Districts.</u>
6	8-55.3	<u>Accessory uses: T Districts.</u>
6	8-55.4	<u>Building site: T Districts.</u>
6	8-55.5	<u>Yard requirements: T Districts.</u>
6	8-55.6	<u>Building height: T Districts.</u>

U Districts

6	8-56.0	<u>U Districts.</u>
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ARTICLE NO. 4 COMMERCIAL AND INDUSTRIAL DISTRICTS

H-1 DISTRICTS

6 8-45.0 HIGHWAY FRONTAGE DISTRICTS: INTENT. Highway Frontage Districts hereinafter designated as H-1 Districts, are established to protect selected area adjacent to major routes for travel for highway oriented types of business use, so regulated as to prevent the impairment of safe and efficient movement of traffic, and to encourage development attractive to the traveling public, and compatible with adjacent agricultural and residential land uses, by provision of space for landscaping and for adequate off-street parking facilities.

6 8-45.1 PERMITTED USES: H-1 DISTRICTS. The following Principal Uses are permitted in an H-1 District, subject to Site Development Review:

- a) Restaurant, except a drive-in restaurant;
- b) Tavern.

6 8-45.2 CONDITIONAL USES: H-1 DISTRICTS. The following are Conditional Uses in H-1 Districts, and shall be permitted only if approved by the Zoning Administrator as provided in Section 8-94.0:

- a) Retail store for the sale of gifts and supplies oriented to the needs of the patrons of hotels, motels and restaurants and of highway travelers;
 - b) Commercial recreation facilities, if within an enclosed building;
 - c) Plant nursery, greenhouse;
 - d) Parking lot;
 - e) Drive-in Theatre, Drive-in Business;
 - f) Service Station, Type A and Type B;
 - g) Motel; Hotel.
 - h) Recreational Vehicle Park; as regulated by Article 5 of this Chapter.
 - i) Boat and Recreational Vehicle storage yard.
- (Amended by Sec. 4, Ord. 69-93; amended by sec. 13, Ord. 70-57; amended by sec. 1, Ord. 71-9)

6 8-45.3 ACCESSORY USES: H-1 DISTRICTS. In an H-1 District, personal service shops or stores are permitted when accessory to a Motel or a Hotel.

6 8-45.4 BUILDING SITE: H-1 DISTRICTS. Except as otherwise specified in the case of a combining District and except for Recreational Vehicle Parks as regulated by Article 5 of this Chapter, every Use in an H-1 District shall be on a Building Site having an area not less than ten thousand (10,000) square feet and an Effective Lot Frontage not less than seventy (70) feet.

(Amended by Sec. 4, Ord. 69-93)

6 8-45.5 YARDS: H-1 DISTRICTS. Except where a greater depth or width is required in the case of a combining District, the Yard requirements in H-1 Districts shall be as follows, subject to the general provisions of Section 8-60.33:

- Depth of Front Yard - not less than twenty-five (25) feet;
- Depth of Rear Yard - not less than twenty (20) feet;
- Width of Side Yard - not less than five (5) feet.

Provided that the Side Yard on the Street side of a Corner Lot shall have a width not less than fifteen (15) feet and that any Side Yard which abuts a Lot in an R District shall have a width not less than that required in such R District.

- 6- 8-45.6 HEIGHT OF BUILDING: H-1 DISTRICTS. No Building or Structure in an H-1 District shall have a Height in excess of thirty-five (35) feet, except as provided by Sections 8-60.9 and 8-60.10.
- 6 8-45.7 COVERAGE LIMITATIONS: H-1 DISTRICTS. In H-1 Districts, the aggregate ground coverage, calculated as provided in Section 8-60.50, shall not exceed forty (40) per cent of the area of the Lot. All open portions of the lot shall be graded and drained to standards approved by the Planning Commission and maintained in a dust-free condition. All parking areas and driveways shall be paved to standards approved by the Planning Commission.

- 6 8-45.8 SIGNS: H-1 DISTRICTS. Signs permitted subject to Section 8-60.68.

Size: Area of all signs not to exceed two (2) square feet for each one (1) lineal foot of Primary Building Frontage and one (1) square foot for each one (1) lineal foot of Secondary Building Frontage, up to a maximum of two hundred (200) square feet for each business, provided that each business is guaranteed fifty (50) square feet of sign area.

Type: Business Signs.

Location: Wall Signs.

Freestanding Signs as follows: no more than one (1) Freestanding Sign shall be permitted for each lot, twenty-five (25) feet maximum height, one hundred fifty (150) square feet maximum total area.

Character: No sign shall be flashing or intermittent, contain moving parts, or be located so as to be directed towards lands in any adjacent R District.

(Amended by sec. 3, Ord. 74-1)

- 6 8-45.9 OTHER REGULATIONS: H-1 DISTRICTS. All uses in H-1 districts shall conform to the performance standards of this chapter for M-P districts as set forth in Section 8-50.1.

(Amended by sec. 6, Ord. 69-83)

C-0 DISTRICTS

- 6 8-46.0 ADMINISTRATIVE OFFICE DISTRICTS: INTENT. Administrative Office Districts, hereinafter designated as C-0 Districts, are established to provide for the location of offices for professional services and for business activities which are characterized by a low volume of direct consumer contact; and to encourage such development in a manner compatible with the uses in adjacent Districts, with suitable open spaces, landscaping and parking area. C-0 Districts are typically situated in areas having convenient access from, but not directly on, main thoroughfares, and generally adjacent to a multiple residential development.

- 6 8-46.1 PERMITTED USES: C-0 DISTRICTS. The following Principal Uses are permitted in a C-0 District when located within a Building:

- a) Office or office building for the conduct of business, administrator or professional services, where these activities do not include the manufacture, storage, display except samples, or sale at retail of any merchandise on the premises; including but not limited to the following types of office occupancy --

Accountant, advertising, architect, attorney, broker (stock and bond), business consultant, business management, chiropodist, chiropractor, collecting agency, dentist, employment agency, engineer, finance, industrial management, insurance, landscape architect, loan agency, mortgage, optometrist, osteopath, philanthropic or charitable organization, physician, public utilities, real estate, sales representative, secretarial, social services, telephone answering, travel agent;

- b) Bank;
- c) Blue printing or other copying service;
- d) Clubhouse, or rooms used by members of an organized club, lodge, union or society;
- e) Medical laboratory, dental laboratory.

6 8-46.2 CONDITIONAL USES: C-O DISTRICTS. In addition to the uses listed for Sections 8-60.60 and 8-61.0, the following are Conditional Uses in a C-O District and shall be permitted only if approved by the Zoning Administrator as provided in Section 8-94.0:

- a) Church, library, school, Hospital, Clinic;
- b) Pharmacy, limited to the sale of drugs and medical supplies;
- c) Restaurant or retail store which serves primarily the occupants of existing Buildings in the same District, or their clients or patrons;
- d) Research or development laboratory, except those engaged in manufacture of products for commercial sale or distribution and excluding any which produces or is found likely to produce any smoke, dust, odors, glare or vibrations observable outside the building or portion thereof in such Use;
- e) Parking lot;
- f) Public utility substation, not including service yard, storage of materials or vehicles, or repair facilities.

(Amended by sec. 11, Ord. 69-23; amended by sec. 14, Ord. 70-57)

6 8-46.21 SITE DEVELOPMENT REVIEW: C-O DISTRICTS: Every use hereafter established in a C-O district for which the parking space regulations of this Chapter require the provision of 15 or more off-street parking spaces on the building site shall be subject to Site Development Review pursuant to Section 8-95.0.

(Based on sec. 4, Ord. 69-83)

6 8-46.3 BUILDING SITE: C-O DISTRICTS. Every Use in a C-O District shall be on a Building Site having a Median Lot Width not less than seventy (70) feet, and an area not less than ten thousand (10,000) square feet.

6 8-46.4 YARDS: C-O DISTRICTS. The yard requirements in C-O Districts shall be as follows, subject to the general provisions of Section 9-520:

Depth of Front Yard - not less than twenty (20) feet;
Depth of Rear Yard - not less than ten (10) feet;
Width of Side Yards - not less than ten (10) feet.

6 8-46.5 HEIGHT OF BUILDINGS: C-O DISTRICTS. Except as otherwise provided in Sections 8-60.9 and 8-60.10, no Building or Structure in a C-O District shall have a Height in excess of thirty-five (35) feet.

- 6 8-46.6 COVERAGE LIMITATIONS: C-O DISTRICTS. In C-O Districts the aggregate ground coverage, calculated as provided in Section 8-60.50, shall not exceed fifty (50) per cent of the area of the Lot. All open portions shall be graded, drained and maintained continuously in a dust free condition, either by landscaping or by paving, to standards approved by the Zoning Administrator.

(Amended by sec. 15, Ord. 70-57)

- 6 8-46.7 SIGNS: C-O DISTRICT. Signs permitted subject to Section 8-60.68.

Type: Business Signs.

Size: Area of all signs not to exceed one (1) square foot for each two (2) lineal feet of either Primary Building Frontage or Secondary Building Frontage, up to a maximum of fifty (50) square feet for each business, provided, however, that each business is guaranteed twenty-five (25) square feet of sign area.

Location: Wall Signs only.

Character: No signs shall be flashing or intermittent, contain moving parts, or be located so as to be directed towards lands in any adjacent R District.

(Amended by sec. 3, Ord. 74-1)

- 6 8-46.7.1 OFFICE BUILDING MASTER IDENTIFICATION SIGN: C-O DISTRICTS. In addition to signs permitted by Section 8-46.7 but subject to Section 8-60.68 and as qualified below an office building may be permitted an Office Building Master Identification Sign, subject to Site Development Review pursuant to Section 8-95.0. The Office Building Master Identification Sign shall be in architectural harmony with the design of the buildings intended to be identified, if wall-mounted by its design as an integral part of the wall of the building to which it is attached and if freestanding then limited to a low-profile sign not exceeding eight (8) feet in height with its means of support concealed and located within a planter of appropriate dimension. The Office Building Master Identification Sign shall not exceed fifty (50) square feet in area, shall be permitted for office building which contains no less than four (4) tenants or any institutional use, and the copy shall include only the name of the office complex or institutional use.

(Amended by sec. 2, Ord. 74-1)

- 6 8-46.8 OTHER REGULATIONS: C-O DISTRICTS. All uses in C-O Districts shall conform to the performance standards of this Chapter for M-P districts as set forth in Section 8-50.1.

(Amended by sec. 4, Ord. 69-83)

6 8-47.0 NEIGHBORHOOD BUSINESS DISTRICTS: INTENT. Neighborhood Business Districts hereinafter designated as C-N Districts, are established to provide for the development of small convenience shopping facilities in areas which are predominantly residential, at locations where such facilities can be grouped without detriment, and to protect them by excluding uses which would tend to reduce their effectiveness as a neighborhood service.

6 8-47.1 PERMITTED USES: C-N DISTRICTS. The following Principal Uses are permitted in a C-N District.

- a) Bank, barber shop, beauty parlor, cleaning or laundry agency, restaurant, Self-service Laundry;
- b) Store for sale at retail of books, clothing, drugs, flowers, food, hardware, musical goods, photographic supplies, packaged liquor, variety goods or household supplies.
- c) Office or office building.

6 8-47.2 CONDITIONAL USES: C-N DISTRICTS. In addition to the uses listed in Sections 8-60.60 and 8-61.0, the following are Conditional Uses in a C-N District and shall be permitted only if approved by the Zoning Administrator as provided in Section 8-94.0:

- a) Public utility substation, not including service yard, storage of materials, or vehicles, or repair facilities;
- b) Parking lot;
- c) Service Station, Type A;
- d) Drive-in Business.

(Amended by sec. 16, Ord. 70-57)

6 8-47.21 SITE DEVELOPMENT REVIEW: C-N DISTRICTS. Every use hereafter established in a C-N District for which the parking space regulations of this Chapter require the provision of 15 or more off-street parking spaces on the building site shall be subject to Site Development Review pursuant to Section 8-95.0.

(Amended by sec. 4, Ord. 69-83)

6 8-47.3 YARDS: C-N DISTRICTS. The yard requirements in C-N Districts shall be as follows, subject to the general provisions of Section 8-60.33:

- Depth of Front Yard - not less than twenty (20) feet;
- Depth of Rear Yard - none, except that where the abutting lot at the rear is in an R District there shall be Rear Yard having a depth not less than fifteen (15) feet;
- Width of Side Yard - none, except that where the abutting lot at the side is in any R District, there shall be Side Yard having a width not less than the minimum required in such R District and the Side Yard on the street side of a Corner Lot shall be not less than ten (10) feet,

6 8-47.4 HEIGHT OF BUILDING: C-N DISTRICT. No Building or Structure in a C-N District shall have a Height in excess of thirty-five (35) feet except as provided by Sections 8-60.9 and 8-60.10.

6 8-47.5 SIGNS: C-N DISTRICT. Signs permitted subject to Section 8-60.68.

Type: Business Signs.

Size: Area of all signs not to exceed one (1) square foot for each one (1) lineal foot of either Primary Building Frontage or Secondary Building Frontage, up to a maximum of one hundred (100) square feet for each business; provided, however, that twenty-five (25) square feet is guaranteed to each business.

Location: Wall Signs only.

Character: No sign shall be flashing or intermittent, contain moving parts, or be located so as to be directed towards lands in any adjacent R District.

(Amended by sec. 3, Ord. 74-1)

6 8-47.5.1 SERVICE STATION SIGN DISPLAY STRUCTURE: C-N DISTRICT. Subject to Section 8-60.68, one Service Station Sign Display Structure, 32 square feet total area or when combined with the Service Station Price Sign permitted by Section 8-60.65(p), 64 square feet total for the entire structure, Such sign shall not exceed six (6) feet in height. The Business Sign portion shall be included as part of the aggregate sign area permitted on the property; however the supporting members and design elements shall not be so included and the sign may be freestanding and may be located within a required yard. Every such sign shall be subject to Site Development Review pursuant to Section 8-95.0.

(Based on sec. 1, Ord. 75-80; amended by sec. 1, Ord. 76-11)

6 8-47.6 OPEN USES EXCLUDED: C-N DISTRICTS. All Principal Uses permitted in C-N Districts shall be conducted entirely within a Building except a Parking Lot, an electrical substation, and the servicing of automobiles with gasoline, oil, air and water.

6 8-47.7 OTHER REGULATIONS: C-N DISTRICTS. All uses in C-N districts shall conform to the performance standards of this chapter for M-P districts as set forth in Section 8-50.1.

(Amended by sec. 4, Ord. 69-84)

C-1 DISTRICTS

- 6 8-48.0 RETAIL BUSINESS DISTRICTS: INTENT. Retail Business Districts, hereinafter designated as C-1 Districts, are established to provide areas for comparison retail shopping and office uses, and to enhance their usefulness by protecting them from incompatible types of commercial uses which can be provided for more effectively in the General Commercial Districts.

(Amended by sec. 1, Ord. 68-58)

- 6 8-48.1 PERMITTED USES: C-1 DISTRICTS. The following Principal Uses are permitted in a C-1 District, subject to the limitations of Section 8-48.9:

- a) Retail store, except book store;
- b) Office, Bank, Studio;
- c) Barber shop, beauty parlor and beauty school, business school, dressmaking or knitting shop, tailor shop, cleaning or laundry agency, handicraft shop;
- d) Repair shop for cameras, shoes, watches, household appliances;
- e) Self-service laundry;
- f) Restaurant;
- g) Parking lot as regulated by Section 8-48.4.

(Amended by sec. 2, Ord. 68-58; amended by sec. 1, Ord. 71-28; amended by sec. 1, Ord. 71-26; amended by sec. 1, Ord. 73-27; amended by sec. 3, Ord. 74-1)

- 6 8-48.15 INTERIM PROHIBITION. The uses permitted in subsection (f) of §8-48.1 hereof are hereby prohibited for a period of ninety (90) days beginning May 13, 1971. This section is enacted pursuant to the authority contained in Government Code §65858.

(Based on sec. 1, Ord. 71-19; repealed by sec. 1, Ord. 71-27)

- 6 8-48.2 CONDITIONAL USES: C-1 DISTRICTS. The following are Conditional Uses in C-1 Districts and shall be permitted only if approved by the Zoning Administrator as provided in Section 8-94.0:

- a) Hospital;
- b) Community Facility;
- c) Animal hospital, Kennel;
- d) Clubhouse, or rooms used by members of an organized club, lodge, union or society;
- e) Mortuary;
- f) Commercial recreation facility other than a theatre, if within a building;
- g) Storage Garage, and storage lots for Recreational Vehicles and Boats;

- h) Theatre, Drive-in Theatre;
- i) Drive-in Business;
- j) Hotel, Motel, Boarding House;
- k) Automobile Sales lot;
- l) Service Station, Type A; or a facility retailing automotive parts and supplies which are installed and serviced on the site but does not include engine, transmission or differential rebuilding or body repair;
- m) Plant nursery including the sale of landscaping materials, excluding wet-mix concrete sales providing all equipment, supplies, and merchandise other than plant materials are kept within a completely enclosed building;
- n) Tavern;
- o) Book Store;
- p) Massage Parlor;
- q) Recycling Centers, when operated in conjunction with a Permitted Use on the same premises;
- r) Advertising Signs, provided that no single sign shall exceed three hundred (300) feet in area and no sign shall be flashing or intermittent, contain moving parts or be located so as to be directed towards lands in any adjacent R District.

(Amended by sec. 12, Ord. 69-23; amended by sec. 4, Ord. 69-83; amended by sec. 17, Ord. 70-57; amended by sec. 2, Ord. 71-28; amended by sec. 2, Ord. 71-26; amended by sec. 1, Ord. 73-27; amended by sec. 2, Ord. 73-74; amended by sec. 3, Ord. 74-1; amended by sec. 2, Ord. 74-78; amended by sec. 1, Ord. 75-20)

- 6 8-48.3 ACCESSORY USES: C-1 DISTRICTS. No use shall be permitted as an Accessory Use which involves the production of goods not intended for retail sale on the premises, or the cleaning or repair of articles of clothing not directly received from and delivered to the customer on the premises where such cleaning or repairing is done.
- 6 8-48.4 SITE DEVELOPMENT REVIEW: C-1 DISTRICTS. Every use hereafter established in a C-1 District for which the parking space regulations of this Chapter require the provision of fifteen (15) or more off-street parking spaces on the Building Site it shall be subject to Site Development Review pursuant to Section 8-95.0.
- 6 8-48.5 YARDS: C-1 DISTRICTS. No Yards are required in a C-1 District except as specified in Sections 8-48.6 and 8-48.7, or in connection with the approval of a Conditional Use, or a variance.
- 6 8-48.6 FRONT YARDS: C-1 DISTRICTS. Wherever a C-1 District terminates at the boundary of an R District or of any other C District except a C-2 District in the same Block, the depth of Front Yard in that Block shall be not less than is required in such abutting District. Wherever the Use of a Building Site is for a Motel, Hotel or Boarding House, the depth of Front Yard shall be not less than twenty (20) feet.
- 6 8-48.7 SIDE AND REAR YARDS: C-1 DISTRICTS. On the street side of a Corner Lot in a C-1 District which abuts a Key Lot in any R District or in any other C District, except a C-2 District, the width of the Side Yard shall be not less than one-half ($\frac{1}{2}$) the depth of the Front Yard required on such Key Lot. Where the side Lot Line of a Lot in a C-1 District abuts a lot in any R District there shall be provided a Side Yard along that line having a width not less than that required on such abutting Lot. Where the rear Lot Line of a lot in a C-1 District abuts a Lot in any R District, there shall be provided a

Rear Yard having a depth not less than six (6) feet. Wherever the Use of a Building Site is for a Motel, Hotel or Boarding House, there shall be Side Yards not less than ten (10) feet in width, and a Rear Yard not less than ten (10) feet in depth.

- 6 8-48.8 HEIGHT OF BUILDINGS: C-1 DISTRICTS. Except as otherwise provided in Section 8-60.9 and 8-60.10, no Building or Structure in a C-1 District shall have a Height in excess of forty-five (45) feet, or in excess of thirty-five (35) feet if the Building or Structure is situated within fifty (50) feet of the boundary line of an R-1, R-2 or R-3 or R-S District.

- 6 8-48.8.1 BUSINESS SIGNS: C-1 DISTRICTS. Business Signs are permitted subject to Section 8-60.68 and are permitted according to EITHER of the following two options provided that if one option is used, the right to the use of the other is waived:

OPTION I: Wall Signs and Projecting Signs

Size: Area of all signs shall not exceed two (2) square feet for each one (1) lineal foot of Primary Building Frontage for the first one hundred (100) feet of Primary Building Frontage and one (1) square foot for each one (1) lineal foot of Primary Building Frontage thereafter; plus one (1) square foot for each one (1) lineal foot of Secondary Building Frontage; provided, however, that twenty-five (25) square feet is guaranteed each Frontage by this provision.

Type and Location: Wall Signs are permitted. Only one (1) projecting sign shall be permitted for each business subject to the conditions (1) that said projecting sign shall not extend from the front wall to which it is attached a distance greater than seven percent (7%) of the Business Building Frontage or five (5) feet, whichever is less; and (2) that said projecting sign shall be located within the middle one-third (1/3) of the front wall of the business building to which it is attached.

OPTION II: Wall Signs and Freestanding Signs:

Size: Area of all signs shall not exceed one and one half (1-1/2) square feet for each lineal foot of lot frontage on an approved street at the front lot line provided that no business shall be limited by this provision to less than twenty-five (25) square feet and further provided that the total sign area of any one sign shall not exceed three hundred (300) square feet.

Type and Location: Wall signs are permitted. Only one (1) freestanding sign shall be permitted for each lot subject to the conditions that: (1) said freestanding sign shall be located in a planter of appropriate dimension; (2) said freestanding sign shall be located within the middle onethird (1/3) of the street frontage when said freestanding sign is within twenty (20) feet of said street frontage; (3) said freestanding sign shall be a maximum of ten (10) feet high and have a maximum area of thirty (30) square feet, provided that for each one (1) foot that said freestanding sign is setback from the nearest street frontage the

maximum height may be increased by one-half (1/2) foot and the area may be increased five (5) square feet; (4) said freestanding sign shall not in any case exceed thirty-five (35) feet in height.

Character: No sign shall be flashing or intermittent, contain moving parts, or be located so as to be directed towards lands in any adjacent R District.

(Based on sec. 2, Ord. 74-1)

- 6 8-48.8.2 LOW PROFILE SIGN: C-1 DISTRICTS: Subject to Section 8-60.68, one Low Profile Sign, twenty-four (24) square feet maximum area, six (6) feet maximum height, may be constructed on a lot with no less than 100 lineal feet of lot frontage on an approved street at the front lot line. The sign area shall be included as part of the aggregate sign area permitted on the property. The supporting members and design elements shall not be included in the computation of the sign area and the sign may be located within a required yard. Every such sign shall be subject to Site Development Review pursuant to Section 8-95.0.

(Based on sec. 2, Ord. 74-1; amended by sec. 2, Ord. 75-80)

- 6 8-48.8.3 SHOPPING CENTER MASTER IDENTIFICATION SIGN(S): C-1 DISTRICTS. In addition to those signs permitted by Section 8-48.8.1, each shopping center, subject to Section 8-60.68 and as qualified below, may be permitted Shopping Center Master Identification Sign(s) subject to Site Development Review, pursuant to Section 8-95.0 to assure conformance to established or proposed design theme of the shopping center signing program. The Shopping Center Master Identification Sign shall be located at one or more main entrances to the shopping center, shall not exceed 100 square feet in area, shall not exceed 25 feet in height, and shall be permitted for shopping centers which contain no less than twenty (20) separate tenants. The Shopping Center Master Identification Sign shall not advertise or identify any tenant of the Shopping center and shall be located in a planter of appropriate dimension.

(Based on sec. 2, Ord. 74-1)

- 6 8-48.8.4 OFFICE BUILDING MASTER IDENTIFICATION SIGN: C-1 DISTRICTS. In addition to those signs permitted by Section 8-48.8.1, each office building, subject to Section 8-60.68 and as qualified below, may be permitted an Office Building Master Identification Sign, subject to Site Development Review pursuant to Section 8-95.0. The Office Building Master Identification Sign shall be in architectural harmony with the design of the buildings intended to be identified, if wall-mounted by its design as an integral part of the wall of the building to which it is attached, and if freestanding then limited to a low-profile sign not exceeding eight (8) feet with its means of support concealed and located within a planter of appropriate dimension. The Office Building Master Identification Sign shall not exceed fifty (50) square feet in area, shall be permitted for office building which contains no less than four (4) tenants or any institutional use, and the copy shall include only the name of the office building or institutional use.

(Based on sec. 2, Ord. 74-1)

- 6 8-48.8.5 SERVICE STATION SIGN DISPLAY STRUCTURE: C-1 DISTRICTS. A Service Station Display Structure is permitted in accordance with Section 8-47.5.1 on a Service Station site in lieu of the Low Profile Sign otherwise permitted.

(Based on sec. 1, Ord. 75-80)

- 6 8-48.9 OTHER REGULATIONS: C-1 DISTRICTS.

- a) All Principal Uses in C-1 Districts and all fabricating, processing or repair uses, accessory thereto shall be conducted within a Building, except an Advertising Sign, an Automobile Sales Lot, a Parking Lot, Recreational Vehicle and Boat Storage, Drive-In Theatre, Drive-In Business, Kennel, Service Station, Plant material storage as authorized by Section 8-48.2(m), or a Community Facility or recreation facility.
- b) All uses in C-1 Districts shall conform to the performance standards of this Chapter for M-P Districts as set forth in Section 8-50.1.
- c) The term "shop" as used in Section 8-48.1 shall be deemed to include only the establishment of artisans dealing at retail directly with the consumer, and concerned primarily with custom trade, as distinguished from quantity production. Except as a Temporary Use regulated by Section 8-60.60, use of a Mobilehome is not permitted.

(Amended by sec. 3, Ord. 68-58; amended by sec. 4, Ord. 69-83; amended by sec. 2, Ord. 74-78)

C-2 DISTRICTS

- 6 8-49.0 GENERAL COMMERCIAL DISTRICTS: INTENT. General Commercial Districts, hereinafter designated as C-2 Districts, are established to provide locations for relatively large areas containing facilities for a wide variety of business and commercial activities needed to serve the community, and to provide a place for the business uses excluded from the C-1 Districts and to protect these areas from unsuitable activities of an industrial character.

(Amended by sec. 4, Ord. 68-58)

- 6 8-49.1 PERMITTED USES: C-2 DISTRICTS. The following Principal Uses are permitted in a C-2 District:

- a) Any Principal Use permitted in a C-0 District, pursuant to Section 8-46.1, or in a C-1 District, pursuant to Section 8-48.1;
- b) Wholesale Business, storage of household goods, Storage Garage;
- c) Contractor's office for businesses that are characterized by the installation of materials or equipment on the property of the purchaser; including interior storage of equipment and materials;
- d) Retail service shops, including cabinet shop; furniture repair and refinishing; upholstering of furniture and automobiles; residential appliance repair; business machine repair; small mechanical equipment and component parts repair and service; bicycle, motorcycle, lawnmower and locksmith shops; auto repair garage and tire recapping;
- e) Ambulance service; automobile rental; clinic, catering; job printing; interior decorating, tailoring, laboratory;
- f) Trade school; dancing school.

(Amended by sec. 5, Ord. 68-58)

- 6 8-49.2 CONDITIONAL USES: C-2 DISTRICTS. In addition to the uses listed in Sections 8-60.60 and 8-61.0 the following are Conditional Uses in C-2 Districts and shall be permitted only if approved by the Zoning Administrator as provided in Section 8-94.0:

- a) Hospital;
- b) Animal Hospital, Kennel;
- c) Mortuary;
- d) Community Facility;
- e) Drive-In Theater, Drive-In Business; Recreation Facility;
- f) Service Station, Type A and Type B;
- g) Automobile, camper, boat and trailer sales, storage or rental lot;
- h) Plant nursery including the sale of landscaping materials, excluding wet-mix concrete sales, providing all equipment, supplies and merchandise other than plant materials are kept within a completely enclosed building;
- i) Auto Sales and Service Agency;
- j) Advertising Sign, provided that no single sign shall exceed three hundred (300) feet in area and no sign shall be flashing or intermittent, contain moving parts or be located so as to be directed towards lands in any adjacent R District.

(Amended by sec. 6, Ord. 68-58; amended by sec. 18, Ord. 70-57; amended by sec. 1, Ord. 73-27; amended by sec. 3, Ord. 73-74; amended by sec. 3, Ord. 74-1)

6 8-49.3 SITE DEVELOPMENT REVIEW: C-2 DISTRICTS. Every Use hereafter established in a C-2 District for which the parking space regulations of this Chapter require the provision of fifteen (15) or more off-street parking spaces on the Building Site shall be subject to Site Development Review pursuant to Section 8-95.0.

6 8-49.4 FRONT YARDS: C-2 DISTRICTS. Wherever a C-2 District terminates at the boundary of an R District or of any other C District except a C-2 District in the same Block, the depth of front yard in that Block shall be not less than is required in such abutting District.

(Amended by sec. 7, Ord. 68-58)

6 8-49.5 SIDE AND REAR YARDS: C-2 DISTRICTS. On the street side of a Corner Lot in a C-2 District which abuts a Key Lot in any R District or in any other C District except a C-1 District, the width of the Side Yard shall be not less than one-half (1/2) the depth of the Front Yard required on such Key Lot. Where the Side Lot Line of a Lot in a C-2 District abuts a Lot in any R District, there shall be provided a Side Yard along that line having a width not less than that required on such abutting Lot. Where the Rear Lot Line of a Lot in a C-2 District abuts a lot in any R District, there shall be provided a Rear Yard having a depth not less than six (6) feet.

(Amended by sec. 8, Ord. 68-58)

6 8-49.6 HEIGHT OF BUILDING: C-2 DISTRICTS. In a C-2 District, no Building or Structure shall have a Height in excess of forty-five (45) feet, except as otherwise provided in Section 8-60.9 and 8-60.10.

6 8-49.6.1. BUSINESS SIGNS: C-2 DISTRICTS. Business Signs are permitted subject to Section 8-60.68 and Section 8-48.8.1.

(Based on sec. 2, Ord. 74-1)

6 8-49.6.2 LOW PROFILE SIGN: C-2 DISTRICTS. A Low Profile Sign is permitted in accordance with Section 8-48.8.2.

(Based on sec. 2, Ord. 74-1; amended by sec. 2, Ord. 75-80)

6 8-49.6.3. SHOPPING CENTER MASTER IDENTIFICATION SIGN(S): C-2 DISTRICTS. Shopping Center Master Identification Sign(s) are permitted subject to Section 8-60.68 and Section 8-48.8.2.

(Based on sec. 2, Ord. 74-1)

6 8-49.6.4. OFFICE BUILDING MASTER IDENTIFICATION SIGN: C-2 DISTRICTS. Office Building Master Identification Signs are permitted subject to Section 8-60.68 and Section 8-48.3.

(Based on sec. 2, Ord. 74-1)

- 6 8-49.6.5 SERVICE STATION DISPLAY STRUCTURE: C-2 DISTRICTS. A Service Station Sign Display Structure in accordance with Section 8-47.5.1 on a Service Station site in lieu of the Low Profile Sign otherwise permitted.

(Based on sec. 1, Ord. 75-80)

6 8-49.7 OTHER REGULATIONS: C-2 DISTRICTS.

- a) All uses in C-2 Districts shall conform to the performance standards of this Chapter for M-P Districts as set forth in Section 8-50.1.
- b) All Principal Uses in C-2 Districts and all fabricating, processing or repair uses accessory thereto shall be conducted within a Building, except an Advertising Sign, an automobile sales lot, the outdoor storage necessary and incidental to the uses described in Section 8-49.2, subsections g), h), and i), a Parking Lot, Drive-in Facility or a recreation facility. Except as a Temporary Use regulated by Section 8-60.60, use of a Mobilehome is not permitted.

(Amended by sec. 9, Ord. 68-58)

- 6 8-50.0 INDUSTRIAL PARK DISTRICTS: INTENT. Industrial Park Districts hereinafter designated as M-P Districts, are established to accommodate a limited specialized group of administrative, laboratory and light manufacturing uses which are capable of being operated under high performance standards in attractive structures with landscaping and parking spaces such as to insure an attractive and visually harmonious working environment; and to protect and increase the stability of such areas by establishing high performance standards and stringent requirements as to space, light and air about the buildings.
- 6 8-50.1 PERFORMANCE STANDARDS: M-P DISTRICTS. The Uses listed hereinafter as permitted in M-P Districts shall in each instance be subject to Site Development Review pursuant to Section 8-95.0. No use in any of the categories listed shall be approved which is characterized by, or which is found by the Zoning Administrator to involve any of the following:
- a) Any noise or vibration, other than that related to transportation activities and temporary construction work, which is discernible without instruments at any lot line of the Building Site;
 - b) Any activity, including storage or dumping which could result in the emission of radioactivity in dangerous amounts;
 - c) Any activity which causes electrical disturbance adversely affecting the operation of any equipment other than that of the creator of such disturbance;
 - d) The production, use, storage, or handling of any inflammable or explosive materials, unless provided at all points with adequate safety devices against hazards of explosion and all equipment and devices standard in the industry for fire prevention and fire fighting;
 - e) The emission of visible gray smoke of a shade or quality darker than No. 1 on the Ringelmann Chart, as specified in Information Circular 7718 of the United States Bureau of Mines, or its equivalent capacity as determined by the Bay Area Air Pollution Control District, for more than three (3) minutes in any one (1) hour;
 - f) Any direct or sky-reflected glare or heat which is perceptible at any point outside of the building site;
 - g) The emission of odorous gases or odorous matter in quantities such as to be perceptible at any lot line of the building site;
 - h) The discharge into the air of any dust, dirt or particulate matter from any activity or from any products stored on the Building Site;
 - i) The discharge into any public sewer, private sewage disposal system or stream or into the ground except in accordance with the standards approved by the State Department of Health, of any materials of such nature or temperature as to contaminate any water supply, interfere with bacterial processes and sewage treatment, or in any way cause the emission of dangerous or offensive elements;
 - j) The emission from any incineration operation of individually visible incandescent particles.

(Amended by sec. 19, Ord. 70-57; amended by sec. 11, Ord. 71-41)

6 8-50.2 PERMITTED USES: M-P DISTRICTS. Subject to the limitations of Section 8-50.1, the following Principal uses are permitted in an M-P District:

- a) Professional and administrative offices;
- b) Laboratory, including research, commercial, testing, developmental, experimental or other types; but excluding the manufacture, assembly, or packaging of products for distribution, except as otherwise provided in subparagraph (c) of this Section;
- c) The manufacturing, compounding, packaging, treating, fabrication, or assembly of electronic or nucleonic equipment, precision instruments, optical, or photographic goods, jewelry or pharmaceuticals;
- d) Publishing, printing, lithographing, engraving.

6 8-50.3 CONDITIONAL USES: M-P DISTRICTS. In addition to the conditions listed for Sections 8-60.60 and 8-61.0, the following are Conditional Uses in an M-P District, and shall be permitted only if approved by the Zoning Administrator as provided in Section 8-94.0:

- a) Public Utility Building, or Structure but not including service yard, storage of materials, or vehicles, or repair facilities;
- b) Parking Lot;
- c) Other Uses which are found by the Zoning Administrator to meet the requirements of Section 8-50.1 of this Article.

(Amended by sec. 20, Ord. 70-57)

6 8-50.4 BUILDING SITE: M-P DISTRICTS. Every Use in an M-P District shall be on a Building Site having an area not less than two (2) acres and an Effective Lot Frontage not less than one hundred fifty (150) feet.

6 8-50.5 YARDS: M-P DISTRICTS. The Yard requirements in M-P Districts shall be as follows, subject to the general provisions of Section 8-60.33.

Depth of Front Yard - not less than fifty (50) feet;
Depth of Rear Yard - not less than forty (40) feet;
Width of Side Yards - not less than forty (40) feet along a Side Lot Line common to any property in an R District;
otherwise, not less than twenty (20) feet.

6 8-50.6 HEIGHT OF BUILDING: M-P DISTRICTS. No Building or Structure in an M-P District shall have a Height in excess of thirty-five (35) feet, except as provided by Sections 8-60.9 and 8-60.10.

6 8-50.7 COVERAGE, LIMITATION: M-P DISTRICTS. In M-P Districts, the aggregate ground coverage, calculated as provided in Section 8-60.50, shall not exceed forty (40) percent of the area of the Lot or Building Site.

- 6 8-50.8 SIGNS: M-P DISTRICTS. Business Signs are permitted provided they are Wall Signs which are made structurally and architecturally a part of a Building, up to an aggregate area not in excess of eighty (80) square feet per Building Site. No sign shall be flashing or intermittent, contain moving parts, or be located so as to be directed toward lands in any adjacent R. District.

(Amended by sec. 3, Ord. 74-1)

- 6 8-50.9 OTHER REGULATIONS: M-P DISTRICTS. All Uses permitted in M-P Districts shall be conducted within completely enclosed Buildings, except (a) the parking and loading or unloading of vehicles, and (b) electric substation. All open areas used for parking or vehicle loading or unloading of vehicles having a manufacturer's gross weight rating, as defined by the State Vehicle Code, greater than 16,000 pounds shall be enclosed by a wall or fence not less than six (6) feet in height, with gates at all points of ingress and egress. All open spaces shall be graded and adequately drained, and shall be continuously maintained in a dust free condition by landscaping or planted ground cover or by paving. Except as a Temporary Use, regulated by Section 8-60.60, use of a Mobile-home is not permitted.

- 6 8-51.0 LIGHT INDUSTRIAL DISTRICTS: INTENT. Light Industrial Districts, hereinafter designated as M-1 Districts, are established to provide for and encourage the development of light industrial, manufacturing and processing uses in areas suitable for such use, and to promote a desirable and attractive working environment with a minimum of detriment to surrounding properties.
- 6 8-51.1 MAP DESIGNATIONS: M-1 DISTRICTS. Every parcel designated on the Zoning Map as being in an M-S District shall hereafter be subject to these regulations as established for an M-1-B-40 District, and shall be so designated on any revised Zoning Map or part thereof.
- 6 8-51.2 PERMITTED USES: M-1 DISTRICTS. Subject to conformance with the performance standards specified in Section 8-51.8, the following Principal Uses are permitted in an M-1 District:
- a) Any manufacturing, processing, assembling, research, wholesale, storage or utility Use, when conducted within an enclosed Building, except those Uses which are specifically listed and otherwise regulated in Section 8-51.3 and in sub-paragraphs (c), (d), (e), and (f) of Section 8-52.2;
 - b) Parking Lot.
- 6 8-51.3 CONDITIONAL USES: M-1 DISTRICTS. In addition to the uses listed in Sections 8-60.60 and 8-61.0 the following are Conditional Uses in an M-1 District, and shall be permitted only if approved by the Zoning Administrator, pursuant to Section 8-94.0:
- a) Restaurant, retail store, or shop needed to serve the occupants of existing industrial buildings in the immediate vicinity;
 - b) Contractor's or other outdoor storage yard for equipment and supplies, if conducted within an area enclosed by a solid wall or fence;
 - c) Animal hospital, Kennel;
 - d) Storage of liquified petroleum gas;
 - e) Recreation facility, within an enclosed building;
 - f) Drive-in Theater;
 - g) Sale at retail of building materials, or of industrial equipment or machinery;
 - h) Concrete or asphalt batching plant;
 - i) Advertising Sign, provided that no single sign shall exceed three hundred (300) feet in area, and except as regulated by Section 8-60.67, and no sign shall be flashing or intermittent, contain moving parts, or be located so as to be directed toward lands in any adjacent R District;
 - j) Service Station Type A or Type B;
 - k) Other Uses which are found by the Zoning Administrator as may meet the intent of this district and the requirements of Section 8-51.8 of this Article.
- (Amended by sec. 21, Ord. 70-57; amended by sec. 12, Ord. 71-14; amended by sec. 3, Ord. 74-1)
- 6 8-51.4 ACCESSORY USES: M-1 DISTRICTS. Certain Uses, not otherwise permitted, may be qualified as Accessory to a permitted Use on the same Lot in an M-1 District including:
- a) Retail store or personal service shop or restaurant for employees; when conducted, and entered from within the Main Building;
 - b) Retail sale of products produced by a permitted Use on the premise.

- 6 8-51.5 BUILDING SITE: M-1 DISTRICTS. Except as otherwise provided in the case of a combining B District, every Use in an M-1 District shall be on a Building Site having a Median Lot Width not less than one hundred (100) feet and an area not less than twenty thousand (20,000) square feet.
- 6 8-51.6 YARDS: M-1 DISTRICTS. Except as otherwise provided in the case of a combining District, the Yard requirements in M-1 Districts shall be as follows, subject to the general provisions of Section 8-60.33:
- Depth of Front Yard - not less than twenty (20) feet;
Depth of Rear Yard - not less than twenty (20) feet;
Width of each Side Yard - not less than ten (10) feet provided that where the abutting Lot is any R District, the width of the Side Yard shall be not less than thirty (30) feet.
- 6 8-51.7 HEIGHT OF BUILDINGS: M-1 DISTRICTS. No Building or Structure in an M-1 District shall have a Height in excess of forty-five (45) feet, except as provided by Section 8-60.10.
- 6 8-51.8 PERFORMANCE STANDARDS: M-1 DISTRICTS. No use shall be permitted in an M-1 district, which is characterized by any of the detrimental effects specified in the performance standards of this Chapter for M-P districts as set forth in Section 8-50.1. Except that in an M-1 district subparagraph (a) of Section 8-50.1 shall apply to noise or vibration discernible at a lot line separating the premises from an abutting R district.
- (Amended by sec. 4, Ord. 69-83)
- 6 8-51.9 BUSINESS SIGNS, LOW PROFILE SIGN, SERVICE STATION AND SIGN DISPLAY STRUCTURE: M-1 DISTRICTS. Business signs, Low Profile sign, and Service Station Sign Display Structure are permitted subject to Section 8-60.68 and Section 8-47.5.1, Section 8-48.8.1, Section 8-48.8.2 and Section 8-48.8.5.
- (Amended by sec. 3, Ord. 74-1; amended by sec. 2, Ord. 75-80)
- 6 8-51.10 OTHER REGULATIONS: M-1 DISTRICTS. Open areas used for storage or for parking or loading of vehicles having a rated capacity greater than 16,000 pounds manufacturers gross vehicle rating as defined in the State Vehicle Code, shall be enclosed by a solid wall or fence not less than six (6) feet in height, with solid exit and entrance gates. In no case shall any material be stacked or stored so as to exceed the height of the fence. All other open portions of the Lot or Building Site shall have adequate grading and drainage, and shall be continuously maintained in an all-weather dust-free condition by suitable landscaping with trees, shrubs, or planted ground cover, or by paving. Except as a Temporary Use regulated by Section 8-60.60, use of a Mobilehome is not permitted.

- 6 8-52.0 HEAVY INDUSTRIAL DISTRICTS: INTENT. Heavy Industrial Districts hereinafter designated as M-2 Districts, are established to encourage sound development of general industrial uses by providing and protecting an environment exclusively for them, subject only to the minimum regulation necessary to insure the protection of adjacent areas from detrimental effects.
- 6 8-52.1 PERMITTED USES: M -2 DISTRICTS. Subject to conformance with the performance standards specified in Section 8-52.8, the following Principal Uses are permitted in an M-2 District:
- a) Railroad or trucking terminal facility;
 - b) Public utility;
 - c) Wholesale establishment;
 - d) Research laboratory;
 - e) Parking lot;
 - f) Any manufacturing, processing or assembly plant, or industrial operation, except those listed in Section 8-52.2.
- 6 8-52.2 CONDITIONAL USES: M-2 DISTRICTS. In addition to the uses listed in Sections 8-60.60 and 8-61.0, the following are Conditional Uses in an M-2 District and shall be permitted only if approved by the Zoning Administrator, as provided in Section 8-94.0:
- a) Restaurant, retail store, or personal service establishment, when necessary to serve the needs of the occupants of existing industrial buildings or employees in the immediate vicinity;
 - b) Advertising Sign, provided that no single sign shall exceed three hundred (300) square feet in area, and except as regulated by Section 8-60.67 and 8-60.68, and no sign shall be flashing or intermittent, contain moving parts, or be located so as to be directed toward lands in any adjacent R District;
 - c) Dumping, disposal, incineration or reduction of garbage, sewage, offal, dead animals or refuse;
 - d) Salvage Yards;
 - e) Manufacture or bulk storage of acid, cement, explosive materials, fireworks, fertilizer, gas, glue, gypsum, lime or plaster of paris;
 - f) Abbatoir, stockyard;
 - g) Kennel, animal hospital, menagerie (collection of wild or strange animals);
 - h) Drive-in Theatre, amusement park, race track;
 - i) Service Station, Type A or Type B;
 - j) Housemovers storage yard.

(Amended by sec. 4, Ord. 69-83; amended by sec. 22, Ord. 70-57; amended by sec. 3, Ord. 74-1)

- 6 6-52.3 SAME. Any Use excluded from an M-2 District solely by reason of conflict with the performance standards set forth in Section 8-52.8 may, upon application, be considered by the Zoning Administrator and approved as a Conditional Use if he finds that, under all the circumstances, including the conditions imposed, the use will be properly located in all respects as specified in Section 8-94.0.

(Amended by sec. 23, Ord. 70-57)

- 6 6-52.4 ACCESSORY USE: M-2 DISTRICT. Retail sale of products produced by a permitted Use on the premise.

- 6 8-52.5 BUILDING SITE: M-2 DISTRICTS. Except as otherwise provided in the case of a combining B District, every Use in an M-2 District shall be on a Building Site having an area of not less than ten thousand (10,000) square feet.
- 6 8-52.6 YARDS: M-2 DISTRICTS. No Yards are required in M-2 Districts except such as may be specified and required in connection with approval of a Conditional Use, and except that along any Lot Line which is also the Lot Line of any premises in an A District or an R District, there shall be provided a Yard having a width (or depth, in the case of a Rear Yard) of not less than fifty (50) feet.
- 6 8-52.7 HEIGHT OF BUILDINGS: M-2 DISTRICTS. No Building or Structure in an M-2 District which is distant less than two hundred (200) feet from any R District shall have a height in excess of forty-five (45) feet except as provided by Section 8-60.10.
- 6 8-52.8 PERFORMANCE STANDARDS: M-2 DISTRICTS. No use shall be permitted in an M-2 District unless approved as a Conditional Use pursuant to Section 8-52.3 which is characterized by or which causes any of the effects specified in the performance standards of this Chapter for M-P Districts, in subparagraphs (a) through (h) of Section 8-50.1 except as follows:
- a) Subparagraphs (a), (f) and (g) of said Section 8-50.1 shall apply only to noise, vibration, odor, glare, or heat which is perceptible from any point within an R District.
 - b) Subparagraph (e) thereof shall apply only to the emission of visible gray smoke of a shade darker than No. 2 on the Ringelmann Chart referred to therein.
- 6 8-52.9 BUSINESS SIGNS, LOW PROFILE SIGN, SERVICE STATION AND SIGN DISPLAY STRUCTURE: M-2 DISTRICTS. Business Signs, Low Profile Sign, and Service Station Sign Display Structure are permitted subject to Section 8-60.68, and Section 8-47.5.1, Section 8-48.8.1; Section 8-48.8.2 and Section 8-48.8.5.
- (Amended by sec. 3, Ord. 74-1; amended by sec. 2, Ord. 75-80)
- 6 8-52.10 OTHER REGULATIONS: M-2 DISTRICTS. Except as a Temporary Use regulated by Section 8-60.60, use of a Mobilehome is not permitted.

F-P DISTRICT

- 6 8-53.0 FLOOD PLAIN DISTRICTS: INTENT. Flood Plain Districts, hereinafter designated as F-P Districts are established to regulate appropriately lands which are subject to tidal or other inundation and thus to protect persons and property from the hazards, and to protect the public from the costs which might follow upon unsuitable or premature development of such areas.
- 6 8-53.1 PERMITTED USES: F-P DISTRICTS. The following Principal Uses are permitted in an F-P District:

- a) Crop, or tree farm, truck garden, nursery, greenhouse, apiary, aviary, hatchery, horticulture;
- b) Raising or keeping of poultry, fowl, rabbits, sheep or goats, or similar animals;
- c) Killing or dressing of small livestock raised on the premises;
- d) Grazing, breeding or training of horses or cattle;
- e) Extraction of chemicals from sea water by natural evaporation;
- f) Parking Lot, Private Garage for parking not to exceed three (3) automobiles;
- g) Business Sign appurtenant to a permitted use, having an area not to exceed twenty (20) square feet for each half-mile of road frontage occupied by such use, not to exceed an aggregate total of one hundred (100) feet; and having no moving parts or flashing illumination;
- h) Roadside stand, having a floor area not to exceed four hundred (400) square feet, for the sale of items produced or raised on the premises;
- i) Accessory Building excluding any type of Dwelling.

6 8-53.2 CONDITIONAL USES: F-P DISTRICTS. Subject to the additional limitations of Section 8-53.4, the following are Conditional Uses in any F-P District and shall be permitted only if approved by the Zoning Administrator, pursuant to Section 8-94.0:

- a) Winery;
- b) Riding academy, public stable;
- c) Dairy Structure;
- d) Kennel;
- e) Seasonal labor camp;
- f) Hog Ranch;
- g) Abattoir for other than small livestock raised on the premises;
- h) Non-commercial recreation facility, including shooting, fishing, boating and golf clubs;
- i) Commercial recreation facility, excluding any in which the principal activity is enclosed within a Building;
- j) Dumping, disposal, incineration or reduction of garbage, sewage, offal, dead animals, or refuse;
- k) Public utility facility, not including offices for public business;
- l) Non-agricultural uses, other than the extraction of chemicals from sea water, which involve primarily the production, extraction, conversion, processing, servicing or storage of goods or materials.

(Amended by sec. 24, Ord. 70-57)

5 8-53.3 GENERAL REGULATIONS: F-P DISTRICTS. The regulations governing Building Site, Yards and Height of Buildings, shall be the same as those set forth for A Districts in Section 8-25.5, 8-25.6 and 8-25.7.

6 8-53.4 SPECIAL REGULATIONS: F-P DISTRICTS. No Use listed in Section 8-53.2 shall be approved by the Zoning Administrator except upon a finding that adequate protection against the hazards of flood or high water exists or will be provided. No such use shall be approved except upon a finding by the Zoning Administrator that the use will not be detrimental by reason of the Uses in any other District which is adjacent to the proposed Use. No Dwelling, except a seasonal labor camp, is permitted in an F-P District.

(Amended by sec. 25, Ord. 70-57)

- 6 8-53.5 SAME: REFERRALS. The Zoning Administrator shall send a copy of every resolution of intention or petition initiating a proposed amendment to establish or change the boundaries of an F-P District, and of every application for a Variance or a Conditional Use in an F-P District to the Alameda County Flood Control and Water Conservation District. The Zoning Administrator may also send a copy thereof to any municipality or other public agency affected. Report and recommendations shall be received by the Zoning Administrator within fifteen (15) days after the receipt thereof. Every such report and recommendation shall be taken into consideration by the Zoning Administrator before acting upon such proposal or application.

(Amended by sec. 26, Ord. 70-57)

P DISTRICTS

- 6 8-54.0 PARKING DISTRICTS: INTENT. Parking Districts hereinafter designated as P Districts, are established to avoid the absorption by other uses of land reserved to furnish needed off-street parking space for passenger automobiles adjacent to concentrations of shopping facilities.
- 6 8-54.1 PERMITTED USES: PARKING DISTRICTS. Any Lot or parcel of land in a P District may be used for a Parking Lot, subject to Site Development Review pursuant to Section 8-95.0. Upon application pursuant to and in conformity with Section 8-94.0, the Use of land in a P District for a Community Facility (Sec. 8-20.10) may be approved as a Conditional Use if such land is needed for parking.
- 6 8-54.2 REGULATIONS: PARKING DISTRICTS. Where the exterior boundary of a Parking Lot adjoins property in an R District, there shall be constructed along such boundary a solid fence or wall not less than six (6) feet high.

(Amended by sec. 13, Ord. 71-41)

T DISTRICTS

- 6 8-55.0 TRAILER PARK DISTRICTS: INTENT. Certain Districts, referred to herein as Trailer Park or T Districts are established to provide for the location of Trailer Parks, so developed as to be compatible with the uses of adjacent properties.

(Repealed by sec. 3, Ord. 69-93)

- 6 8-55.1 PERMITTED USES: T DISTRICTS. The following Principal Uses are permitted in any T District:
- a) Trailer Park, subject to a Trailer Park Permit, when located upon a Building Site in one Ownership having an area not less than four (4) acres;

- b) Recreational uses for the exclusive use of residents of a trailer park, when located upon the same or an abutting lot.

(Repealed by sec. 3, Ord. 69-93)

- 6 8-55.2 CONDITIONAL USES: T DISTRICTS. The following are Conditional Uses in T Districts and shall be permitted only if approved by the Planning Commission as provided in Section 8-94.0:

- a) Any Use listed as a Conditional Use for R-1 Districts in Section 8-26.3.

(Repealed by Sec. 3, Ord. 69-93)

- 6 8-55.3 ACCESSORY USES: T DISTRICTS. One Dwelling Unit or office for the use of the owner or manager of a Trailer Park is permitted as an Accessory Use. When accessory to a trailer park, identifying Signs are permitted; provided, that the aggregate area of such signs shall not exceed twenty (20) square feet, and that this total may be divided into not more than two (2) single or double faced signs. Lighted signs shall not employ flashing or intermittent illumination. No sign or sign structure shall have a height in excess of fifteen (15) feet, or occupy any Required Yard or any area from which Structures are excluded pursuant to Section 8-60.52.

(Repealed by sec. 3, Ord. 69-93)

- 6 8-55.4 BUILDING SITE: T DISTRICTS. Except as otherwise specified for a Trailer Park in Section 8-54.4, every Use in a T District shall be on a Building Site having a Median Lot Width not less than fifty (50) feet and an area not less than five thousand (5,000) square feet.

(Repealed by sec. 3, Ord. 69-93)

- 6 8-55.5 YARD REQUIREMENTS: T DISTRICTS. The Yard requirements for T Districts shall be the same as those set forth in Section 8-26.6 for R-1 Districts, except that where the use is a Trailer Park, no Side Yard shall have a width less than ten (10) feet, and the Rear Yard shall have a depth not less than twenty (20) feet.

(Repealed by sec. 3, Ord. 69-93)

- 6 8-55.6 BUILDING HEIGHT: T DISTRICTS. No Dwelling in a T District shall have a height in excess of thirty-five (35) feet. For other Main Buildings, Section 8-60.10 shall control.

(Repealed by sec. 3, Ord. 69-93)

U DISTRICTS

- 6 8-56.0 U DISTRICTS. Certain Districts, referred to herein as U Districts originally established to include all unincorporated territory of the County not within any other District, are hereby declared to be Districts which required special interim controls in pursuance of the purposes of this Chapter set forth in Section 9-201. Every Use, not otherwise prohibited by law, is a Conditional Use in U Districts, and shall be permitted only if approved by the Zoning Administrator as provided in Section 8-94.0. Existing Uses are permitted to continue as provided in Section 8-94.5.

(Amended by sec. 27, Ord. 70-57)

Article 5

General Requirements

6	8-60.0	<u>General Regulations.</u>
6	8-60.1	<u>Public Services: Exceptions.</u>
6	8-60.2	<u>Quarry Or Sand And Gravel Pit.</u>
6	8-60.3	<u>Use Permits: Prior.</u>
6	8-60.4	<u>Same.</u>
6	8-60.5	<u>Same.</u>
6	8-60.6	<u>Same.</u>
6	8-60.7	<u>Same.</u>
6	8-60.8	<u>Adjustments: Prior.</u>
6	8-60.8A	<u>Site Development Review: Prior.</u>
6	8-60.9	<u>Height of buildings: exceptions.</u>
6	8-60.10	<u>Same.</u>
6	8-60.11	<u>Same.</u>
6	8-60.12	<u>Building site: recordation.</u>
6	8-60.13	<u>Building site: effective lot frontage.</u>
6	8-60.14	<u>Building site requirements: exceptions.</u>
6	8-60.15	<u>Same: yards reduced by condemnation.</u>
6	8-60.16	<u>Commercial vehicles: parking in R Districts prohibited.</u>
6	8-60.17	<u>Same: exceptions.</u>
6	8-60.18	<u>Same: enforcement.</u>
6	8-60.19	<u>Same: prima facie assumption.</u>
6	8-60.20	<u>Accessory uses.</u>
6	8-20.5.1	<u>Boarding Stable.</u>
6	8-60.21	<u>Same: restriction from certain yards.</u>
6	8-60.22	<u>Home occupations.</u>
6	8-60.23	<u>Accessory uses: recreational.</u>
6	8-60.24	<u>Accessory uses: livestock.</u>
6	8-60.25	<u>Accessory Uses: Pets, Livestock, Bees, Exotic Animals.</u>
6	8-60.25A	<u>Accessory Uses: Exotic Animals.</u>
6	8-60.26	<u>Accessory buildings.</u>
6	8-60.27	<u>Accessory buildings: where not permitted.</u>
6	8-60.28	<u>Accessory buildings: corner lots.</u>
6	8-60.29	<u>Accessory buildings: livestock.</u>
6	8-60.30	<u>Accessory building: private garage.</u>
6	8-60.31	<u>Accessory building: in front yard.</u>
6	8-60.32	<u>Accessory structures: in rear yard.</u>
6	8-60.33	<u>Yard regulations.</u>
6	8-60.34	<u>Yards: dimensions.</u>
6	8-60.35	<u>Yards: measurement: rear and side lines.</u>
6	8-60.36	<u>Yards: measurement: front line.</u>
6	8-60.37	<u>Yards: exceptions: projections permitted therein.</u>
6	8-60.50	<u>Lot coverage.</u>
6	8-60.51	<u>Useable open space.</u>
6	8-60.52	<u>Yards: official lines.</u>
6	8-60.53	<u>Fences, walls and hedges.</u>
6	8-60.54	<u>Hedges.</u>
6	8-60.55	<u>Same: height limitations.</u>
6	8-60.56	<u>Same: exceptions to height limitations.</u>

8-60.57	<u>Same: measurement of height.</u>
8-60.58	<u>Same: required.</u>
8-60.59	<u>Temporary uses.</u>
8-60.60	<u>Temporary uses: conditional uses.</u>
8-60.61	<u>Signs.</u>
8-60.62	<u>Name plate.</u>
8-60.63	<u>Sale or lease sign.</u>
8-60.65	<u>Signs permitted.</u>
8-60.65.1	<u>Signs, conditional uses.</u>
8-60.65.2	<u>Abatement of signs relating to inoperative functions.</u>
8-60.66	<u>Signs prohibited.</u>
8-60.67	<u>Advertising signs adjacent to scenic routes.</u>
8-60.68	<u>Business signs adjacent to scenic routes.</u>
8-61.0	<u>Conditional uses: all districts.</u>
8-61.1	<u>Same: additional.</u>
8-62.0	<u>Nonconforming uses and buildings.</u>
8-62.1	<u>Same: exception.</u>
8-62.2	<u>Nonconforming buildings: completion.</u>
8-62.3	<u>Same: changes.</u>
8-62.4	<u>Nonconforming dwelling: exception.</u>
8-62.5	<u>Nonconforming buildings: exception.</u>
8-62.6	<u>Nonconforming buildings: maintenance.</u>
8-62.7	<u>Restoration of damaged buildings.</u>
8-62.8	<u>Abandonment.</u>
8-62.9	<u>Licenses for nonconforming uses: renewal, etc.: Conditional use permit.</u>
8-62.10	<u>Nonconforming signs.</u>
8-62.11	<u>Nonconforming signs.</u>
8-62.12	<u>Signs Accessory to Nonconforming Business or Industry.</u>
8-62.13	<u>Signs. Accessory to a Building Located within a Required Yard.</u>
8-63.0	<u>Parking and loading spaces.</u>
8-63.1	<u>Continuing character of obligation.</u>
8-63.2	<u>Parking spaces: accessibility.</u>
8-63.4	<u>Parking spaces: size and location.</u>
8-63.5	<u>Parking spaces: access driveways.</u>
8-63.6	<u>Setback from access driveway.</u>
8-63.7	<u>Parking space location: exception.</u>
8-63.8	<u>Loading spaces: size and location.</u>
8-63.9	<u>Parking and loading spaces: approval of plan.</u>
8-63.10	<u>Parking and loading spaces: maintenance.</u>
8-63.11	<u>Same: exception.</u>
8-63.12	<u>Collective action permitted.</u>
8-63.13	<u>Mixed uses.</u>
8-63.14	<u>Joint use of parking spaces.</u>
8-63.15	<u>Number of spaces required.</u>
8-63.16	<u>Floor area.</u>
8-63.17	<u>Parking spaces required: residential buildings.</u>
8-63.18	<u>Parking spaces required: places of assembly.</u>
8-63.19	<u>Parking spaces required: business establishments.</u>
8-64.0	<u>Loading spaces required: commercial and industrial uses.</u>
8-64.1	<u>Loading spaces required: other uses.</u>
8-65.0	<u>Service stations.</u>
8-65.1	<u>Service station type A.</u>
8-65.2	<u>Service station type A: accessory uses.</u>
8-65.3	<u>Service station type B.</u>

6	8-70.0	<u>Mobilehome parks.</u>
6	8-70.1	<u>Same: building site.</u>
6	8-70.2	<u>Same: density.</u>
6	8-70.3	<u>Same: mobilehome sites.</u>
6	8-70.4	<u>Same: utilities.</u>
6	8-70.5	<u>Same: common areas.</u>
6	8-70.6	<u>Same: fencing.</u>
6	8-71.0	<u>Recreational vehicle parks.</u>
6	8-71.1	<u>Same: building site.</u>
6	8-71.2	<u>Same: recreational vehicle site.</u>

Article 5

General Requirements

- 6 8-60.0 GENERAL REGULATIONS. The provisions of this Chapter shall be subject to the following general regulations, special provisions and exceptions.
- 6 8-60.1 PUBLIC SERVICES: EXCEPTIONS. This Chapter shall not limit or interfere with the temporary use of any property as a voting place. Public utility uses excepting buildings and service yards or storage yards are permitted uses in any District, without limitation as to height; provided that plans for any such use, except local distribution lines and except when located in an M-2 District shall be submitted to the Planning Commission for a report and recommendation prior to the acquisition of any site, easement or right-of-way.
- 6 8-60.2 QUARRY OR SAND AND GRAVEL PIT. The Use of any land for the operation or maintenance of a quarry or sand and gravel pit shall be governed by the provisions of Part 11 of this Chapter.
- 6 8-60.3 USE PERMITS: PRIOR. The following regulations shall apply to every Use for which a Use Permit was lawfully issued pursuant to the provisions of this Chapter which were in effect prior to the effective date of this ordinance.
- 6 8-60.4 SAME. If the Use, as permitted by the conditions of the Use Permit, exists and is listed herein as a permitted Use in the District under the same conditions, such Use shall be lawful and approved as to Zoning, subject to those same conditions.
- 6 8-60.5 SAME. Where the land involved has been developed under such Use Permit, and is by the terms thereof more restricted than by the regulations of this Chapter for the same type of Building or Use, such restrictions, to the extent that they could have been imposed under the provisions of this Chapter governing Conditional Use, Variances or the approval of Site Development shall remain in full force and effect.
- 6 8-60.6 SAME. Where the parcel has been developed in accordance with the terms of such a Use Permit for a Use permitted thereunder but not hereafter permitted in the District, the Use shall be deemed to be a permitted use for the time period of such Use Permit, and all the terms and conditions of the Use Permit shall continue in force, subject to the provisions of Section 8-62.3.
- 6 8-60.7 SAME. The Zoning Administrator may rescind any such Use Permit following 10 days notice to the Permittee and a hearing pursuant to Section 8-101.0 unless the parcel is used in accordance with its terms

within six (6) months of the effective date of this ordinance where no construction or alteration of a Building is involved, and otherwise unless such construction or alteration has actually been started within one (1) year of said date.

(Amended by sec. 28, Ord. 70-57)

- 9 8-60.8 ADJUSTMENTS: PRIOR. Every zoning Adjustment granted in accordance with the provisions of this Chapter which were in effect prior to the effective date of this ordinance shall be valid and may be utilized in accordance with its terms and conditions; provided that any such prior Adjustment may be rescinded by the Zoning Administrator following 10 days notice to the permittee and a hearing pursuant to Section 8-101.0 unless it shall have been utilized within one (1) year of the effective date of the order granting such Adjustment.

(Amended by sec. 29, Ord. 70-57)

- 9 8-60.8A SITE DEVELOPMENT REVIEW: PRIOR. Every Site Development Review granted in accordance with the provisions of this Chapter which were in effect prior to March 1, 1968, shall be valid and may be utilized in accordance with its terms and conditions provided that any such prior Site Development Review may be rescinded by the Planning Director following 10 days notice to the permittee and a hearing pursuant to Section 101.1 unless it shall have been utilized within one (1) year of the effective date of the order granting subject Site Development Review.

(Amended by sec. 7, Ord. 68-27; amended by sec. 30, Ord. 70-57)

6 8-60.9 HEIGHT OF BUILDINGS: EXCEPTIONS. Schools, churches, Hospitals, and other Buildings of an institutional character permitted in a District may have a Building Height in excess of the District limitations but not in excess of seventy-five (75) feet; provided that the requirements in the District for Front, Rear and Side Yards shall be increased by one foot for each foot of the Building Height in excess of forty (40) feet. A television or radio receiving antenna may be of a height not exceeding fifty (50) feet.

6 8-60.10 SAME. The building Height limitations set forth in this Chapter apply generally to Structures, also, but shall not apply to chimneys, church spires, flag poles, or to mechanical appurtenances necessary and incidental to the permitted use of a Building.

6 8-60.11 SAME. Where the natural ground slope of a Lot on the downhill side of the street is greater than one (1) foot in seven (7) feet as measured from the Front Lot Line to the Grade at the rear wall of the proposed Building, one (1) story in addition to the number permitted in the District in which the Lot is situated is permitted on the downhill side of any Building. The Building Height shall not otherwise exceed the limit specified for said District.

(Amended by sec. 9, Ord. 68-27)

6 8-60.12 BUILDING SITE: RECORDATION. Prior to obtaining a building permit or otherwise making Use of a Building Site, it shall have been recorded as a Lot in the office of the County Recorder.

6 8-60.13 BUILDING SITE: EFFECTIVE LOT FRONTAGE. Every Building Site shall have an Effective Lot Frontage, equal to or greater than one-half ($\frac{1}{2}$) the Median Lot Width required in the District, and in no case shall the Effective Lot Frontage be less than twenty-five (25) feet. Whenever a new Building Site is hereinafter created by division of an existing Lot, the Effective Frontage of each such new Building Site shall be equal to one-half ($\frac{1}{2}$) of either the required or the actual Median Lot Width thereof, whichever is greater. Each such new Building Site shall be recorded forthwith as a Lot in the office of the County Recorder.

6 8-60.14 BUILDING SITE REQUIREMENTS: EXCEPTIONS. Certain Lots or parcels of land, as specified hereinafter, may be used as Building Sites, provided any Building, Structure, or addition is itself conforming, even though the area and/or the Median Lot Width thereof is less than that required by the District in which such Lot or parcel of land is situated, if all other requirements for that District are met. This exception applies in each of the following cases; provided, however, that in no case shall it apply to a Lot or parcel of land having an area less than four thousand (4,000) square feet or having a Median Lot Width less than forty (40) feet.

- a) Any lot indicated on a recorded subdivision map prior to August 2, 1946;
- b) Any parcel of land shown as a Lot on the records of the County Recorder as separately owned and assessed prior to August 2, 1946, when the present owner thereof is not the owner of any adjacent land;

- c) Any Lot having an area of five thousand (5,000) square feet or more, which is indicated upon a recorded subdivision map;
- d) Any Lot where the deficiency in area or Median Lot Width is due exclusively to the condemnation of a portion thereof for a public purpose, or the sale of any such portion to any agency or political subdivision of the State or of the Federal Government and where such deficiency does not exceed twenty-five (25) percent of the Districts' requirements;
- e) Any Lot in a combining B District, when the owner thereof owns no adjacent land and when the Lot was of record prior to the adoption of said B District; provided, however, that unless the Lot is also covered under one or more of the preceding subparagraphs of this section, the Use thereof shall conform to the Median Lot Width and the Yard requirements of the District with which said B Districts is combined.
- f) Any Lot in an A District which contained a minimum of 5 acres, Median Lot Width of at least three hundred (300) feet, and an Effective Lot Frontage of at least one-half (1/2) the actual Median Lot Width, which was shown as a Lot on the records of the County Recorder as separately owned and assessed prior to May 4, 1972, when the present owner thereof is not the owner of any adjacent land.

(Amended by sec. 1, Ord. 72-37)

- 6 8-60.15 SAME: YARDS REDUCED BY CONDEMNATION. Wherever a Lot hereafter becomes qualified as a Building Site under the provisions of subparagraph (d) of Section 8-60.14, any yard about an existing Building thereon which becomes deficient in depth or in width solely because of such condemnation or sale of a portion of the Lot shall thereafter be deemed to be a yard conforming to these regulations, and shall not of itself cause the Building to become a nonconforming Building.
- 6 8-60-16 COMMERCIAL VEHICLES: PARKING IN RESIDENTIAL DISTRICTS PROHIBITED. Either of the following specified acts shall constitute an unauthorized commercial Use of Land in any Residential District and is a violation of this Chapter:
 - a) The parking in any Residential District or upon any Street adjacent thereto for a period of time greater than two (2) hours in any twenty-four (24) hour period of any commercial vehicle, commercial truck and/or commercial trailer having a manufacturer's gross vehicle weight rating as defined in the State Vehicle Code, greater than 10,000 pounds; or
 - b) Parking at one time in any Residential District or upon any Street adjacent thereto, of two (2) or more such commercial vehicles, commercial trucks and/or commercial trailers by any person having possession or control thereof.

(Amended by sec. 1, Ord. 76-18; amended by sec. 1, Ord. 76-35)

- 6 8-60.17 SAME: EXCEPTIONS. The provisions of Section 8-60.16 shall not apply to any such vehicle which is parked while loading or unloading property therefrom, or in connection with the performance of a service to or on property in the immediate vicinity, nor shall they apply to any commercial vehicle, truck or trailer which is parked as a subordinate and Accessory Use in connection with the conduct of a lawful nonconforming business use established in such R District, or to a commercial vehicle or truck entitled to registration and licensing by the State as a "horseless carriage".

- 6 8-60.18 SAME: ENFORCEMENT. It shall be the duty of the Sheriff to enforce the provisions of Section 8-60.16 whenever the vehicle involved is parked upon a public street. It shall be the duty of the Building Official to enforce the provisions of Section 8-60.16 whenever the vehicle involved is parked on any private premises in an R District and for such purpose he shall have the power of a peace officer and may enter upon any such premises for the purpose of determining whether or not there has been a violation of said Section.
- 6 8-60.19 SAME: PRIMA FACIE ASSUMPTION. In any prosecution charging a violation of this ordinance by conducting an unauthorized commercial use in a Residential District, proof by the people of the State of California that a particular vehicle described in the complaint was parking contrary to the provisions of Section 8-60.16 by the operator or driver of said vehicle, truck or trailer, or by the owner, lessee, tenant or other occupant of the property so zoned, shall constitute a prima facie presumption that an unauthorized commercial use was made of the property.

(Amended by Sec. 2, Ord. 76-18)

- 6 8-60.20 ACCESSORY USES. In any District, an Accessory Use is permitted, subject to any special regulations for the District, and to the limitations set forth in this and the following sections, when located on the same premises as a lawfully existing Principal Use to which it is incidental and subordinate except as otherwise provided in Section 8-25.3 (o). No Use shall be deemed to be or permitted as an Accessory Use which increases the number of Dwelling Units in any Building or on any Lot beyond that which is permitted in the District. Home Operations shall be governed by Section 8-60.23. The keeping of livestock or pets shall be governed by Sections 8-60.23 and 8-60.25.

(Amended by Sec. 2, Ord. 76-22)

- 6 8-60.20.5.1 BOARDING STABLE. Boarding Stable means any premises where more than four horses not owned by the owner or occupant of the premises are boarded, kept, or otherwise maintained as contrasted with the open grazing or pasturing of horses.

(Based on Sec. 2, Ord. 75-29)

- 6 8-60.21 SAME: RESTRICTION FROM CERTAIN YARDS. No Accessory Use conducted under provisions of Section 8-60.20, above, involving any of the following, shall be conducted within a Front Yard or within a Street Side Yard on a corner lot in any R or any A District:

- a) The repair, dismantling, or painting of motor vehicles or of electrical refrigerators, washers, dryers or other household appliances;
- b) Storage or display of equipment, appliances, tools, materials or supplies.

(See also Sec. 8-60.33)

- 6 8-60.22 HOME OCCUPATIONS. No Home Occupation shall be deemed to be, or permitted as an Accessory Use to a Dwelling in any R or in any A District which involves or requires any of the following:

- a) The employment of outside help in the dwelling or on the premises, other than domestic servants;
- b) Any alteration or installation of appliances, equipment or facility of a non-residential character to a Dwelling or to an Accessory Building;
- c) Any outdoor storage or display of equipment, appliances, tools, materials or supplies;
- d) Maintenance on the premises for sale or rental of any stock of goods, which are not home made;
- e) Results in on-street parking or the generation of pedestrian or vehicular traffic beyond that normal to the District, of the parking of any commercial vehicle in violation of Section 8-60.16;

- f) The generation of noise, glare, vibration, odor or electrical disturbance perceptible at or beyond the lot lines;
- g) Any use of the Front Yard or Sideyard for construction or repair or dismantling or the use in the aggregate of an area greater than one-fourth ($\frac{1}{4}$) of the area of the Dwelling Unit;
- h) Any sign other than the name plate permitted in the District;
- i) Conduct of a barber shop, beauty shop, or real estate office, raising for sale of animals, bees or birds, or the teaching of dancing, music or swimming or an assembled class of more than two (2) pupils;
- j) The repair, servicing, painting or dismantling of motor vehicles or of electrical refrigerators, washers, dryers, or other household appliances;
- k) The renting of rooms and the providing of table board for more than four (4) persons, or if licensed by the State Department of Mental Hygiene for more than five (5) persons.

(Amended by sec. 10, Ord. 68-27)

- 6 8-60.23 ACCESSORY USES: RECREATIONAL. Recreation facilities on the premises for the use of the occupants and non-paying guests are permitted, when qualified as Accessory Uses in any District. Private swimming pools shall be regulated as Accessory Structures.

(Amended by sec. 2, Ord. 68-33)

- 6 8-60.24 ACCESSORY USES: LIVESTOCK. In any R District where the Accessory Use is the maintaining of one or more horses or cows, any outdoor space used by the same shall be in a fenced area located entirely on the rear half of the Lot, no part of which is within fifteen (15) feet of the Lot Line nor forty (40) feet from any Dwelling.

(Repealed by Sec. 1, Ord. 75-29)

- 6 8-60.25 ACCESSORY USES: PETS, LIVESTOCK, BEES, EXOTIC ANIMALS. The keeping of pets, livestock, bees and exotic animals for which a permit has been obtained in accordance with applicable regulations are permitted in addition to those animals otherwise permitted by this Chapter.

(Original repealed by sec. 1, Ord. 75-29; Amended by Sec 2, Ord. 75-29)

- 6 8-60.25A ACCESSORY USES: EXOTIC ANIMALS. Exotic Animals for which a permit has been obtained in accordance with Article 7 of Chapter 3, Title 3 of the Alameda County Ordinance Code are permitted in addition to those animals otherwise permitted by this Chapter.

(Based on sec. 2, Ord. 72-16; repealed by Sec. 1, Ord. 75-29)

- 6 8-60.26 ACCESSORY BUILDINGS. Every Accessory Building attached to a Main Building shall be subject to all the requirements of this chapter applicable to the Main Building. No detached Accessory Building in an R District shall be located within six (6) feet of any other Building on the same Lot, or have more than one Story or a Height in excess of fifteen (15) feet.

6 8-60.27 ACCESSORY BUILDINGS: WHERE NOT PERMITTED. No Accessory Building shall be located between the Street Lot Line and any Special Building Line established pursuant to Section 8-84.0, any Future Width Line established by ordinance, which traverses the Building Site. No Accessory Building in any R District shall be within six feet of the side line of the front half of an abutting Lot, or occupy the front half of a Lot, or either front quarter of an interior Lot abutting two Streets, provided, however, that this restriction shall not require any Accessory Building to be more than ~~seventy~~-five feet distant from any Street Lot Line.

(Amended by sec. 3, Ord. 68-33)

6 8-60.28 ACCESSORY BUILDINGS: CORNER LOTS. On a Corner Lot which abuts a Key Lot no Accessory Building shall be nearer the street Side Lot Line than a distance equal to the depth of Front Yard required on the Key Lot; provided, however, that this restriction shall not be so applied as to reduce the permitted depth of the Accessory Building to less than twenty (20) feet. Where the rear Lot Line of a Corner Lot in an R District abuts the Rear Lot Line of another Lot, no Accessory Building shall be nearer the Street Side Lot Line than the main building or in any case be located less than ten (10) feet from the Side Lot Line.

6 8-60.29 ACCESSORY BUILDINGS: LIVESTOCK. No Accessory Building the use of which is in connection with the keeping of any animals shall occupy the front half of a Lot in an R District or be located less than forty (40) feet from any Dwelling. In any R District an Accessory Building, a use of which is for a private stable, shall be located on the rear half of the Lot and shall be distant at least fifty (50) feet from the rear Lot Line and fifteen (15) feet from the Side Lot Lines.

(Repealed by Sec. 1, Ord. 75-29)

6 8-60.30 ACCESSORY BUILDING: PRIVATE GARAGE. Except as otherwise provided in ~~Section 8-60.31~~ no Private Garage in any R District shall be so located upon a lot that the door providing vehicular access thereto is within twenty (20) feet of any Lot Line of such Lot toward which the door faces.

6 8-60.31 ACCESSORY BUILDING: IN FRONT YARD. In any R District or A District, where the slope of the natural ground in the required Front Yard of the Lot exceeds a rate of one foot rise or fall for each four (4) feet from the established street grade at the front Lot Line, or where the ground elevation at the Front Lot Line is five (5) feet or more above or below the established street grade, a Private Garage or required parking space may be located in a required Front Yard; provided, however, that no such garage or required parking space shall occupy an area between the Front Lot Line and any Special Building Line, Future Width Line or Official Right-of-Way Line established by ordinance.

- 6 8-60.32 ACCESSORY STRUCTURES: IN REAR YARD. Except as otherwise provided in Section 8-60.29 for a stable, detached Accessory Buildings in an R District may occupy up to a maximum of thirty per cent of the area of a required rear yard, provided that the maximum 30% coverage provision shall not apply to private swimming pools.

(Amended by sec. 4, Ord. 68-33)

- 6 8-60.33 YARD REGULATIONS. In order to secure minimum basic provision for light, air, privacy and safety from fire hazards, it is required that every building hereafter constructed shall be upon a Building Site of dimensions such as to provide for the yards specified for the District in which the lot is located, and the following sections shall apply and control. Every such Yard shall be open and unobstructed from the ground upward, except as otherwise provided for Accessory Buildings in Sections 8-60.27, 8-60.31 and 8-60.32, for fences in Section 8-60.53 and for other buildings in Section 8-60.37 and for signs as regulated by Section 8-60.65 and Section 8-60.59 (b). No Mobilehome, Recreational Vehicle, utility trailer, unmounted camper top or boat shall be stored in the Front Yard or the required Side Yard in any R District.

(Amended by sec. 11, Ord. 68-27; amended by sec. 5, Ord. 68-33;
amended by sec. 4, Ord. 69-93)

- 6 8-60.34 YARDS: DIMENSIONS. Every front yard shall have a depth equal to or greater than that required for the District and shall extend across the full width of the front of the Building Site. Every Rear Yard shall have a depth equal to or greater than that required for the District and shall extend across the full width of the rear of the Building Site. Every Side Yard shall have a width equal to or greater than that required for the District and shall extend along the side Lot Line from the front Lot Line to the rear Lot Line.

- 6 8-60.35 YARDS: MEASUREMENT: REAR AND SIDE LINES. The measurement of the required depth of a Rear Yard or the required width of an interior side yard shall be horizontal and inward from the Lot Line at a right angle. Where the side Lot Lines converge, or nearly converge, a line ten (10) feet long within the lot, parallel to the front Lot Line and at a maximum distance therefrom shall be deemed to be the rear Lot Line for the purposes of this section.

- 6 8-60.36 YARDS: MEASUREMENT: FRONT LINE. The measurement of the required depth of a Front Yard, or the required width of the street side yard of a Corner Lot, shall be horizontal and inward from the street Lot Line at a right angle; provided, however, that where any official right-of-way line, or any Future Width Line pursuant to Section 8-80.0, traverses the building site, the measurement here specified shall be taken from such right-of-way line, such Future Width Line or from the street Lot Line, whichever produces the lesser yard. Through Lots have two front Lot Lines, from each of which a Front Yard shall be measured.

6 8-60.37 YARDS: EXCEPTIONS: PROJECTIONS PERMITTED THEREIN. The following features of a Building hereinafter set forth may project into a required Yard to the extent specified:

- a) Eaves or any other architectural features may project beyond the Front, Rear, or Side wall a distance not greater than two (2) feet;
- b) A landing place, or uncovered porch, and stairway leading thereto which serves a Dwelling Unit entrance not greater than six (6) feet, above the ground level, may project into a required Yard a distance not greater than three (3) feet.

6 8-60.50 LOT COVERAGE. In calculating the percentage of Lot coverage, the area at ground level of all roofed Buildings on the premises shall be included as coverage, excluding the architectural and other features listed in Section 8-60.37.

6 8-60.51 USEABLE OPEN SPACE. Where the District regulations specify a minimum of Useable Open Space for each Dwelling Unit or a Building Site, the calculation of Useable Open Space shall be made by deducting from the total area of the Building Site (1) all the area included as coverage pursuant to Section 8-60.50; (2) all areas paved to provide parking space, required driveways and maneuvering areas; (3) any remaining area having a ground slope in excess of twenty (20) per cent; and (4) any open space less than ten (10) feet in its least dimension. To the remainder may be added any roof-top or outside deck spaces more than seven (7) feet in least dimension which are directly accessible to and safely useable by occupants of the Dwelling.

§ 8-60.52 YARDS: OFFICIAL LINES. No Building or Structure shall be located on any Lot or Building Site in the area between a Street Lot Line and any Official Right-of-Way Line, Future Width Line or Special Building Line along the street which has been established by ordinance.

§ 8-60.53 FENCES, WALLS AND HEDGES. Fences, walls and hedges, as regulated in this and the following sections may occupy any yard and are required where specified in this Chapter. The term "wall" as used in this connection shall not be deemed to apply to the wall of a Building, or to the supporting portion of a retaining wall. The term "hedge" means cultivated plant growth along a line which is sufficiently dense to obstruct passage and visibility from one side to the other.

§ 8-60.54 HEDGES. Where the Side Yard or Rear Yard of a C or M use abuts an R District, there shall be planted and maintained a hedge approximately four (4) feet wide and six (6) feet high along that property line of that C or M District parcel, except that within twenty (20) feet of a Street Lot Line, the required hedge shall not exceed four (4) feet in height.

§ 8-60.55 SAME: HEIGHT LIMITATIONS. The maximum permitted height of fences, walls and hedges, except as otherwise provided in Section 8-60.54 and 8-60.56 shall be as follows:

- a) When located in a required Yard on a Corner Lot and within thirty (30) feet of the intersection of the Street Lot Lines or of the projections of such lines -- two (2) feet, measured upward from the centerline grade of the Street opposite thereto;
- b) When located in a required Rear or Street Side Yard of a Corner Lot and within twenty (20) feet of the corner common to such a lot and a Key Lot at the rear -- four (4) feet;
- c) When located in a required Front Yard other than as specified in subparagraph (a) hereof four (4) feet;
- d) When located in any A or R District other than as specified hereinabove, six (6) feet;
- e) When located in any C or M District and within five (5) feet of the boundary of any A or R District, six (6) feet.

§ 8-60.56 SAME: EXCEPTIONS TO HEIGHT LIMITATIONS. The limitations on height specified in Section 8-60.55 shall not apply:

- a) Where a higher fence is required by any other ordinance of the county or by State or Federal regulation;
- b) Where a higher fence is made a condition of approval of a Conditional Use or a Variance pursuant to this Chapter, provided that no such condition shall require or permit a fence having a height in excess of twelve (12) feet;
- c) To a fence around all or part of a tennis court, a playground or a swimming pool which is, at least in that portion which exceeds the applicable limitation, constructed of open wire or steel mesh capable of admitting not less than ninety (90) per cent light as measured by a reputable light meter;
- d) An open wire fence up to six (6) feet high in an A District.

9 8-60.57 SAME: MEASUREMENT OF HEIGHT. Except as otherwise specified in subparagraph (a) of Section 8-60.55, the height of a fence, wall or hedge shall be measured upward from the ground level beneath it; provided that where any fence, hedge, or wall in a required yard or along a Lot Line rises directly above or is parallel to and within six (6) feet of the supporting portion of a retaining wall, one-half the supporting height of the retaining wall shall be deducted from the permitted height and the remainder measured upward from the level of the ground fill on the higher side; and provided, further, that no fence or hedge shall extend upward from a retaining wall within thirty (30) feet of a Street corner.

9 8-60.58 SAME: REQUIRED. Wherever a Lot is occupied by a nonconforming, commercial or industrial Use in an R District, a screening wall, fence or hedge of the maximum permitted height is required along any rear or interior Side Lot lines thereof which abut any lot in an R District. This requirement shall not apply to that portion of any such Lot Line which is within two (2) feet of the wall of a Building on the Lot and parallel to such line.

6 8-60.59 TEMPORARY USE. Nothing in this Chapter shall be construed to prohibit in any District: a temporary Building or Use or trailer coach not used for residential purposes, necessary and incidental to construction of a building or group of buildings when located on the same lot and only during the period of construction.

(Amended by sec. 3, Ord. 70-57; amended by sec. 3, Ord. 74-1)

6 8-60.60 TEMPORARY USES: CONDITIONAL USES. The following Temporary Uses are Conditional Uses in the specified Districts, and shall be permitted only if approved by the Zoning Administrator as provided in Section 8-94.0:

- a) Tract and sales office with accessory signs in any District during the period of construction and original sale of the Buildings or Lots in a new subdivision; provided, that the office and any accessory sign allowed by the conditions of the approval shall be removed and all District regulations applied within ten (10) days after the expiration of a time limitation which shall be specified in each instance.
- b) Parking for not to exceed one year of one Mobilehome in any C or M District when used as a temporary office during working hours, or in any A District or R District when used as temporary living quarters during the period of construction of a one-family Dwelling on the same premises.
- c) In any District, a carnival, neighborhood exhibition or festival, the open air sale of Christmas trees, or other temporary use approved pursuant to Section 8-94.0, provided, that the conditions of approval shall include a time limitation not to exceed sixty (60) days and such guarantees as are deemed necessary to insure restoration of the premises to its prior condition within ten (10) days after the expiration of said time limitation.

(Amended by sec. 32, Ord. 70-57; amended by sec. 3, Ord. 74-1)

- 6 8-60.61 SIGNS. For the purpose of this Chapter, additional types of signs are distinguished and defined and shall be subject to the regulations specified for each. The word "illuminated" when used in reference to signs shall mean giving forth direct artificial light, and shall not refer to light cast upon a sign from an outside source. Where the aggregate area of signs is limited, all faces of a sign shall be included in the calculation. Where two Advertising Signs are located on the same supporting members and the two faces of the signs are at no point more than two (2) feet from one another, each face shall be considered a single sign.

(Based on sec. 1, Ord. 69-33)

- 6 8-60.62 NAME PLATE. A Name Plate is permitted in any District when qualified as an Accessory Use. No Name Plate shall have an overall area in excess of two (2) square feet or be illuminated.

(Repealed by sec. 1, Ord. 74-1)

- 6 8-60.63 SALE OR LEASE SIGN. In addition to the regulations as to signs for each District, in any District one Sale or Lease Sign is permitted on each lot. The sign shall not be illuminated nor exceed six (6) square feet in area, unless otherwise permitted by the District in which the sign is located.

(Amended by sec. 1, Ord. 72-29; repealed by sec. 1, Ord. 74-1)

- 6 8-60.65 SIGNS PERMITTED. The following signs are permitted in any District and may be located in required yards, other sign control provisions notwithstanding; and need not be included in any computation of permitted aggregate sign area.

- a) Official public signs or notices or any Temporary notice posted by a public officer in the performance of his duty;
- b) House numbers, mail box identification, street names, "no trespass" signs, and other warning signs;
- c) Courtesy signs identifying a benefactor, a location of historic interest, or a statue or monument;
- d) Any sign which has been determined by the Historical Landmarks Committee for Alameda County to have significant historical merit;
- e) One (1) Name Plate, two (2) square feet maximum area and shall not be illuminated;
- f) Pedestrian Sign, four (4) square feet maximum area, one (1) foot maximum projection;
- g) Signs serving to direct the flow of pedestrian and vehicular traffic; eight (8) square feet per sign, except pavement markings which are not so restricted as to maximum area.
- h) Temporary non-structural signs promoting public health, safety, or welfare programs and activities; eight square feet aggregate area per lot;

- i) Temporary Political Sign(s), eighteen (18) square feet aggregate area per lot;
- j) Sale or lease sign, with two (2) signs permitted per lot, six (6) square feet maximum area per sign and shall not be illuminated; provided, however, that sale or lease signs in any C or M District shall not exceed 24 square feet. One such sign may be placed for each 100 feet of street frontage;
- k) Subdivision Sale, Rent or Lease Sign, to advertise the original sale, rent or lease of buildings or lots in connection with a subdivision development, sixty-four (64) square feet plus one additional sign of like dimension for each thirty-five (35) lots or buildings for sale, rent or lease, twenty (20) feet maximum height, and shall not be illuminated.
- l) Apartment Rental Sign, for apartment complexes of no less than 5 dwelling units, one sign, thirty-two (32) square feet maximum area, ten (10) feet maximum height, shall not be illuminated, and shall be removed when initial occupancy occurs within eighty percent (80%) or more of the dwelling units.
- m) A bulletin board used to display announcements relative to meetings held on the premises of a church, school, auditorium, or other place of public assembly, twenty-four (24) square feet in area, unless otherwise approved under a Conditional Use Permit, Variance, or Site Development Review, attached to the wall or regulated as to height by those limitations on fences and hedges contained in Section 8-60.55;
- n) A directory or other exclusively informational listing of tenants' names attached to the wall at the entrance of a building, or if freestanding, regulated as to height by those limitations on fences and hedges contained in Section 8-60.55, and other provisions of this Section notwithstanding, may not be located within a required front or street side yard, twelve (12) square feet maximum aggregate area.
- o) Identification Sign, twenty-four (24) square feet maximum area unless otherwise approved under a Conditional Use Permit, Variance, or Site Development Review or if freestanding, regulated as to height by those limitations on fences, walls and hedges contained in Section 8-60.55;
- p) Not more than two Service Station Price Signs thirty-two (32) square feet maximum aggregate area, six (6) feet maximum height, and may be attached to and made part of Service Station Sign Display Structure pursuant to Section 8-48.8.5.
- q) Signs located inside a building or structure, provided any such sign is neither attached to windows with its sign copy visible from the outside nor otherwise so located inside so as to be conspicuously visible and readable without intentional and deliberate effort from outside the building or structure; provided, however, that any interior sign or signs which in the aggregate have an area not exceeding 25% of the window area through which they are viewed are also permitted and need not be included in any computation of permitted aggregate sign area.

(Amended by sec. 11, Ord. 68-27; amended by sec. 1, Ord. 72-22; amended by sec. 3, Ord. 74-1; amended by sec. 1, Ord. 75-25; amended by sec. 2, Ord. 75-80; amended by sec. 1, Ord. 76-11)

6 8-60.65.1 SIGNS, CONDITIONAL USES. Except where signs are listed as permitted uses, the following are Conditional Uses in any District, may be located in required yards, and shall be permitted only if approved as provided in Section 8-94.0:

- a) Directional Tract Sign, twenty-four (24) square feet, fifteen (15) maximum height, shall not be illuminated, and shall not be located within six hundred sixty (660) feet of an Interstate Freeway.
- b) Community Identification Sign, one hundred twenty (120) square feet, twenty (20) feet maximum height, shall be located within one thousand (1,000) feet of the corporation boundary of the community to which the sign refers, illumination shall not be intermittent and sign copy shall be limited to:
 - 1) The name of the Post Office or offices serving the area; and/or community in which the sign is located.
 - 2) Information relating to the service clubs active in the area;
 - 3) Community slogans or mottos;
 - 4) Directional information;
- c) Identification Sign, twenty-four (24) square feet, eight (8) feet maximum height.

(Based on sec. 2, Ord. 74-1)

6 8-60.65.2 ABATEMENT OF SIGNS RELATING TO INOPERATIVE FUNCTIONS. Signs pertaining to enterprises or occupants that are no longer using a property shall be removed from the premises or sign copy on such signs shall be obliterated, within thirty days after the associated enterprise or occupant has vacated the premises. Other signs of a temporary nature (including political signs) shall be removed within fifteen days following the event or election or other purpose served by the sign in the first instance.

(Based on sec. 2, Ord. 74-1)

6 8-60.66 SIGNS PROHIBITED. Except in conformance with Section 8-60.59 and 8-60.60 no Advertising Sign is permitted in any A or R District.

(Repealed by sec. 1, Ord. 74-1)

6 8-60.67 ADVERTISING SIGNS ADJACENT TO SCENIC ROUTES. Notwithstanding other provisions of this Chapter, no Advertising Sign shall be located or constructed in any District within three hundred (300) feet of any existing right-of-way line of any scenic route as depicted on that map entitled SCENIC ROUTE ELEMENT OF THE GENERAL PLAN - ALAMEDA COUNTY, April, 1966, said map on file with this Commission.

(Amended by sec. 3, Ord. 74-1)

6 8-60.68 BUSINESS SIGNS ADJACENT TO SCENIC ROUTES. Notwithstanding the other provisions of this Chapter, except where that District's provisions are more restrictive, Business Signs when within three hundred (300) feet of any existing right-of-way of any scenic route or when in an M District and within five hundred (500) feet of any existing right-of-way of any scenic route as depicted on the map entitled SCENIC ROUTE ELEMENT OF THE GENERAL PLAN - ALAMEDA COUNTY, April, 1966, shall be regulated as follows:

- a) Size: aggregate area of signs not to exceed one (1) square foot for each one (1) lineal foot of business or industrial main building frontage, or one hundred (100) square feet for each business or industry, whichever is less. No single sign shall exceed forty (40) square feet in area.
- b) Location: signs shall be attached to the face of the building and not extend outward from any wall more than one (1) foot. Signs shall not extend above the roof of that building.
- c) Character: no signs illumination shall be flashing or intermittent, nor contain moving parts, nor be directed toward lands in any adjacent R District.

(Amended by sec. 3, Ord. 74-1)

6 8-61.0 CONDITIONAL USES: ALL DISTRICTS. Except where they are listed in the District regulations as permitted uses, the following are Conditional Uses in any District and shall be permitted only if approved by the Zoning Administrator, as provided in Section 8-94.0:

- a) Airport or landing strip for aircraft;
- b) Shelter;
- c) Temporary Use as regulated in Section 8-60.60; and
- d) Church of wood frame or more lasting construction;
- e) Subdivision entrance structures.

(Amended by sec. 5, Ord. 69-83; amended by sec. 33, Ord. 70-57; amended by sec. 3, Ord. 74-1)

6 8-61.1 SAME: ADDITIONAL. A Community Identification Sign shall be permitted in any zoning district only if approved by the Zoning Administrator as provided in Section 8-94.0 and if consistent with State and Federal Law. Community Identification Signs are regulated as follows:

- a) Location: Located within 1,000' of the centerline intersection of highways providing a major access to a community or within 1,000' of the corporation boundary of the community to which the sign refers.
- b) Copy: Sign copy shall be limited to:
 - 1. The name of the Post Office or offices serving the area, and/or community in which the sign is located.
 - 2. Information relating to the service clubs active in the area.
 - 3. Community slogans or mottos.
 - 4. Directional information.
- c) Area: aggregate sign area shall not exceed 120 square feet.
- d) Height: Sign height shall not exceed 15 feet.
- e) Lighting and Animation: Illumination shall not be intermittent nor shall the sign contain moving parts.

(Amended by sec. 2, Ord. 68-29; amended by sec. 33, Ord. 70-57; repealed by sec. 1, Ord. 74-1)

6 8-62.0 NONCONFORMING USES AND BUILDINGS. Any use lawfully occupying a building or land which no longer conforms to the regulations of the District in which it is located due to the adoption of the zoning ordinance or a subsequent amendment thereto shall be deemed to be a Nonconforming Use, and may continue except as otherwise provided herein. Any lawfully existing Building or Structure which is wholly or partially used or designed for Use contrary to the regulations of the District in which it is located, or which is by reason of its Height or bulk, or with respect to the Yards or parking spaces about it or in any other manner deficient with respect to such regulations, shall be deemed to be a Nonconforming Building, and may continue except as otherwise provided herein.

6 8-62.1 SAME: EXCEPTION. A Building lawfully constructed or a Use lawfully occupying a Building or land in accordance with the terms and conditions of a Variance shall not be thereafter deemed to be nonconforming solely on the basis of a deficiency authorized by the specific Variance granted

6 8-62.2 NONCONFORMING BUILDINGS: COMPLETION. Any Building for which a valid Building Permit has been issued prior to the time of any amendment of this Chapter, may be completed and used in accordance with the approved plans; provided, that construction is diligently prosecuted to completion. Every such building shall thereafter be deemed to be a lawfully existing Building and Section 8-62.0 of this Chapter shall apply.

6 8-62.3 SAME: CHANGES. No Nonconforming Use except as provided in Sections 8-62.4 and 8-62.5 shall be enlarged or extended so as to occupy a greater area of land or of a Building than that occupied at the time it became a Nonconforming Use. Except as otherwise provided in Section

8-62.4 of this Chapter, no Nonconforming Building shall be enlarged, extended or structurally altered unless the entire building and the use thereof is so changed as to be conforming in every respect. No Nonconforming Use shall be changed to a different Nonconforming Use.

- 6 8-62.4 NONCONFORMING DWELLING: EXCEPTION. A nonconforming Dwelling in any R or A District, where the nonconformity consists only of deficiency in yard dimensions or the required parking spaces and where no such deficiency exceeds fifty (50) percent of the requirements of the District, or any dwelling in an A District which is located on a building site of at least 5 acres and said parcel was of record prior to May 5, 1972, may be structurally altered or enlarged; provided, that any addition or enlargement shall itself be fully conforming and that the number of Dwelling Units therein shall not be increased.

(Amended by sec. 1, Ord. 72-29)

- 6 8-62.5 NONCONFORMING BUILDINGS: EXCEPTION. A business conducted entirely within a building may change to a different business if the new business:

- a) Is among the "permitted uses" but does not require a conditional use permit in the Zoning District in which it is to be located;
- b) Is to be conducted entirely within the Building;
- c) Does not require a greater number of off-street parking spaces or loading spaces than the former business.

- 6 8-62.6 NONCONFORMING BUILDINGS: MAINTENANCE. Ordinary maintenance and minor repair of Nonconforming building is permitted; provided, that the aggregate cost of the work done in any period of twelve (12) months on minor alterations or replacement of interior walls, fixtures or plumbing shall not exceed twenty-five (25) percent of the assessed value of the building according to the assessment thereof by the Assessor of the County for the fiscal year in which the work was done, and provided further that neither the cubical content of the building nor the number of Dwelling Units therein shall be increased.

- 6 8-62.7 RESTORATION OF DAMAGED BUILDINGS. The restoration and resumption of the former use of a Nonconforming building that is damaged or partially destroyed by fire, explosion, Act of God or of the public enemy to the extent of seventy-five (75) percent or less shall be permitted, provided that such restoration is permitted by the Building Code of the County and is started within one year after such damage and diligently prosecuted to completion. A Nonconforming building that is completely destroyed, or damaged or partially destroyed to a greater extent than above specified; shall not thereafter be restored, except in full conformity with all the regulations of this Chapter. The proportion of damage or partial destruction shall be based upon the ratio of the estimated cost of restoring the building to its prior condition to the estimated cost of duplicating the entire structure as it existed prior thereto. Estimates for this purpose shall be made by the Building Official.

- 6 8-62.8 ABANDONMENT. Whenever a nonconforming use of land or of a Building in any District is changed to a conforming Use or abandoned for a continuous period of six (6) months or more, such use shall not thereafter be re-established, and any subsequent use of the premises shall be in conformity with all the regulations for the District.

(Based on sec. 1, Ord. 68-22)

- 6 8-62.9 LICENSES FOR NONCONFORMING USES: RENEWAL, ETC.: CONDITIONAL USE PERMIT. In every case in which, under the provisions of any ordinance of this County in effect at the date Ordinance No. 420 took effect, a license or permit is required for the establishing, maintaining, or conducting of any business use and the business use exists as a nonconforming use under this article, then the license or permit shall not be authorized, issued, renewed, re-issued or extended for the business use unless and until a conditional use permit has been secured for the continued maintenance or conducting of the business use.

(Based on sec. 8, Ord. 68-27)

- 6 8-62.10 NONCONFORMING SIGNS. All Signs, Name Plates, and their supporting members that did not comply with all provisions of this Chapter as of May 10, 1969, shall be brought into compliance with the provisions of this Chapter within the time limits set forth in this Section:

<u>Change required to bring sign into compliance</u>	Conformance Date: <u>May 10, 1969, plus</u>
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Alteration of lighting or movement	one year;
Size or height reduction	three years;
Removal of sign painted on wall	one year;

<u>Change required to bring sign into compliance</u>	Conformance Date: <u>May 10, 1969, plus</u>
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Relocation on same Building Site	two years;
Removal of a free-standing Business Sign	three years;
Removal of an Advertising Sign where not permitted	five years;

provided, however, that any sign nonconforming in more than one respect shall be brought into compliance with the time limit of the greatest duration.

(Based on sec. 2, Ord. 69-33)

- 6 8-62.11 SAME: SIGNS AND NAME PLATES RENDERED NONCONFORMING SUBSEQUENT TO MAY 10, 1969. All Signs, and their supporting members rendered

nonconforming subsequent to May 10, 1969, shall be brought into compliance with the provision of this chapter within the following time limits:

Change required to bring sign into compliance

Conformance Date:
Date on nonconforming plus:

Alteration of lighting or movement	one year;
Size of height reduction	three years;
Removal of sign painted on wall	one year;
Obtaining Conditional Use Permit	one year;
Relocation on same Building Site	two years;
Removal of a free-standing Business Sign	three years;
Removal of an Advertising Sign where not permitted	five years;

provided, however, that any sign nonconforming in more than one respect shall be brought into compliance within the same time limit of the greatest duration.

(Based on sec. 2, Ord. 69-33; repealed by sec.1, Ord. 74-1)

- 6 8-62.11 NONCONFORMING SIGNS. All Signs, Name Plates and their supporting members that were rendered nonconforming by Ordinance No. 74-1, effective February 8, 1974, and Ordinance No. 75-80, effective August 9, 1976, shall be brought into compliance with the provisions of this Chapter on or prior to February 8, 1977. All Signs, Name Plates and their supporting members that are rendered nonconforming by amendments to this Chapter enacted subsequent to August 9, 1976, shall be brought into compliance with the provisions of this Chapter within three years of the effective date of any such amendments.

(Based on sec. 2, Ord. 74-1; amended by sec. 2, Ord. 75-80)

- 6 8-62.12 SIGNS ACCESSORY TO NONCONFORMING BUSINESS OR INDUSTRY. Signs and supporting members which are accessory to a business or industry existing as a Nonconforming Use in any A or R District are permitted subject to the sign regulations contained in Section 8-47.5.

(Based on sec. 2, Ord. 69-33; amended by sec. 3, Ord. 74-1)

- 6 8-62.13 SIGNS. ACCESSORY TO A BUILDING LOCATED WITHIN A REQUIRED YARD. Signs accessory to a building located wholly or partially within a required yard may be located on such a building in accordance with the regulations of this chapter regardless of the Building encroachment.

(Based on sec. 1, Ord. 72-11; amended by sec. 3, Ord. 74-1; amended by sec. 2, Ord. 75-80)

- 6 8-63.0 PARKING AND LOADING SPACES. There shall be provided and maintained in accordance with those regulations, off-street automobile parking and loading spaces for every Building and Use. No building or Structure shall be erected or Use established and no existing Building shall be structurally altered, unless there be already in existence, or unless provision therefore is made concurrently with such erection or structural alteration or new use, the number of parking spaces and loading spaces necessary to meet the minimum requirements hereinafter set forth.

- 6 8-63.1 CONTINUING CHARACTER OF OBLIGATION. The maintenance of the parking and loading spaces required shall be a continuing obligation of the owner of the real estate upon which the Building or Structure is located as long as the building or structure exists and the use requiring such space continues. It shall be unlawful for an owner of a building or structure affected by these requirements to discontinue, change or dispense with or to cause the discontinuance, sale or transfer of such building or structure, without establishing alternative spaces which conform to those requirements; or for any person, firm, or corporation to use such building or structure without providing such required parking or loading spaces, in compliance with these regulations.
- 6 8-63.2 PARKING SPACES: ACCESSIBILITY. These regulations are intended to provide off-street spaces for the parking of the automobiles of tenants of the premises and visitors in the case of residential uses, and for clients, customers, employees and callers in the case of nonresidential uses. They are required to be kept accessible for these purposes continuously, and the use of any such required space or spaces, or of any driveway or maneuvering space necessary to provide access thereto for the storage of a trailer coach, boat, vehicle trailer, unmounted camper unit, or goods of any kind shall constitute discontinuance thereof in violation of Section 8-63.1.
- 6 8-63.4 PARKING SPACES: SIZE AND LOCATION. Every required parking space shall have an area not less than one hundred eighty (180) square feet and shall have a width not less than nine (9) feet, and a length of not less than eighteen (18) feet, exclusive of maneuvering space and driveways which shall be provided as required to make each parking space independently accessible from the street at all times. No required parking space shall occupy any required Front Yard or any required Street Side Yard of a Corner Lot, or any required setback from a driveway or any part of a required loading space. All required parking spaces shall be provided on the same Building Site as the Use or Building for which they are required.

(Amended by sec. 5, Ord. 69-83; amended by sec. 14, Ord. 71-41)

- 6 8-63.5 PARKING SPACES. ACCESS DRIVEWAYS. In an R or A District, the width of the driveway hereafter provided shall not be less than shown in the following table opposite the number of off-street parking spaces served; provided that where a driveway is divided by a center strip, the width shall be not less than ten feet on each side, and provided that where a site plan is required to be approved a greater width of driveway may be required as a condition of approval:

NUMBER OF PARKING SPACES SERVED	MINIMUM WIDTH DRIVEWAY REQUIRED
Four (4) or less	Twelve (12) feet
Five (5) or more	Twenty (20) feet

(Amended by sec. 6, Ord. 68-33; amended by sec. 25, Ord. 70-57)

- 6 8-63.6 SETBACK FROM ACCESS DRIVEWAY. Except in A, R-1 and R-2 Districts, wherever any such driveway passes by the wall or wall of a dwelling, the driveway shall be distant from such wall not less than ten (10) feet. Every driveway adjacent to a pedestrian path or sidewalk running parallel thereto, shall have a curb or equivalent buffer not less than four (4) inches high along that side of the paving.
- 6 8-63.7 PARKING SPACE LOCATION: EXCEPTION. Subject to the same limitations as in Section 8-26.3(c), the provision may be made upon a lot in an R District which abuts the Building Site upon which the Use of Building is located, upon approval as provided in Section 8-94.0 for a Conditional Use.

(Amended by sec. 5, Ord. 69-83)

- 6 8-63.8 LOADING SPACES: SIZE AND LOCATION. Every required loading space shall be not less than ten (10) feet in width and sixty (60) feet in length, and shall be clear to a height of not less than fourteen (14) feet. Every required loading space shall be on the same lot as the Structure it serves or on an abutting lot and shall be continuously accessible from the street. No loading space shall occupy any part of a required parking space, or any required street side yard of a corner lot.
- 6 8-63.9 PARKING AND LOADING SPACES: APPROVAL OF PLAN. A site plan showing the location of the existing and proposed Building or Buildings and other improvements, the location of all required parking and loading spaces, and all provisions for maneuvering space and access thereto from a public right-of-way including proposed curb cuts, shall be submitted and approved as being convenient and functional prior to the issuance of a Building Permit. No approval of occupancy shall be issued upon completion of a building or structural alteration of a building or for any land use when no buildings are erected or altered, unless and until all such spaces as required and as shown upon approved plans and made a part of the Building Permit are in place and ready for use.
- 6 8-63.10 PARKING AND LOADING SPACES: MAINTENANCE. All parking and loading spaces, Access Driveways, and maneuvering areas required by this chapter shall be graded and well drained and shall be maintained with all weather dust-free surfacing. In all Districts except A, R-1 or F-P Districts they shall be paved with asphaltic concrete or Portland Cement Concrete.

Whenever the exterior boundary of an open parking area providing space for five (5) or more automobiles is less than ten (10) feet from any other lot in an R District, such areas shall be screened therefrom by a solid masonry wall, a compact evergreen hedge or a fence having a height not less than the maximum permitted under Section 8-60.55. Lighting of parking and loading spaces shall be so arranged as to be directed downward and away from any residential area.

- 6 8-63.11 SAME: EXCEPTION. Whenever a parcel of land in an R District is lawfully used for parking and the parking facility is maintained to meet the requirements of this Chapter for a Use or Building on an abutting Lot in the same Ownership, the requirements of Section 8-63.10 as to a separating fence, wall or hedge shall not apply to the line separating it from such lot.
- 6 8-63.12 COLLECTIVE ACTION PERMITTED. Nothing in this Chapter shall be construed to prevent the joint use of parking or loading space for two (2) or more Buildings or Uses if the total of such spaces provided is not less than the sum of the requirements for the individual Uses computed separately in accordance with these regulations.
- 6 8-63.13 MIXED USES. When two or more Uses occupy the same Building or Building Site, the required number of parking and loading spaces shall be the sum of the requirements of the various Uses computed separately. No parking or loading space required to be provided for one of such Uses shall be considered as providing a required space for any other such Use, except pursuant to and in conformity with the provisions of Section 8-63.14.
- 6 8-63.14 JOINT USE OF PARKING SPACES. Where an attested copy of a contract between the parties concerned is filed with the application for a Building Permit, which contract sets forth a valid agreement for joint use of parking spaces for the life of the Buildings or Uses concerned, the number of spaces required jointly for a Place of Assembly, the Use of which is principally exercised during non-business hours, and a business Use or Uses regularly closed at such times may be reduced so that the total equals whichever is greater of (1) all the spaces required for the business Use or Uses plus one-half ($\frac{1}{2}$) of the spaces required for the Place of Assembly, or (2) all the spaces required for the Place of Assembly plus one-half ($\frac{1}{2}$) of the spaces required for the business Use or Uses.
- 6 8-63.15 NUMBER OF SPACES REQUIRED. The number of parking and/or loading spaces required shall be as specified in the following sections for the various types of Buildings and Uses. When the calculation results in a fractional number, any fraction up to and including one-half ($\frac{1}{2}$) shall be disregarded and any fraction over one-half ($\frac{1}{2}$) shall be adjusted to the next higher whole number in the case of a use not specifically mentioned in these regulations, the minimum number of parking and loading spaces required shall be the same as for a specified use found by the Zoning Administrator to have similar characteristics in relation to the need for automobile parking and loading spaces.

(Amended by sec. 36, Ord. 70-57)

8-63.16 FLOOR AREA. For the purposes of calculating the number of parking spaces or loading spaces required, the term "Floor Area" shall mean the floor area of space used for service to the public as customers, patrons, clients, or patients, or occupied by tenants of the offices in the case of an office Building. The term shall include floor area occupied by fixtures and equipment used for display or sale of merchandise; but shall not include floor space used for non-public purposes such as storage, incidental repair, processing or packaging of merchandise, show windows or offices incidental to the management or maintenance of stores or buildings. Floor space used principally for toilet or rest rooms, fitting or dressing or alteration rooms, for utilities and for parking or loading spaces within the Building shall also be excluded from floor area.

8-63.17 PARKING SPACES REQUIRED: RESIDENTIAL BUILDINGS. The number of parking spaces required for residential buildings shall be not less than as specified in the following table, adjusting fractions pursuant to Sections 8-63.15.

USE	NUMBER OF SPACES REQUIRED
Dwelling, including single, two-family and multiple residences, Group Dwellings, apartment houses, apartment hotels, and all other similar structures devoted to habitation.	Two (2) for each Dwelling Unit, plus one (1) for each bedroom available for accommodating a paying guest.
Hotel, Motel, Boarding House, Clubhouse, fraternity or sorority;	Two (2) plus one (1) for each bedroom available for accommodating guests.
Medical or Residential Care Facility;	Two (2) plus one (1) for each six (6) beds for persons not related to the resident family or manager.
Hospital;	Two (2) plus one (1) for each four (4) patient beds, (except that those patient beds designated as "long term care beds" by the State Department of Public Health may be computed one (1) per six (6) patient beds) plus one (1) for each staff doctor; plus one (1) for each 1,000 sq. ft. of gross floor area in the main building or buildings.
Mobilehome Park;	Two (2) for each Mobilehome site located on each mobilehome site; other provisions of this Chapter notwithstanding, the access to one of these spaces may be within the access to the second space; plus one for each ten (10) mobilehome sites.

Recreational Vehicle Park;

One (1) for each Recreational Vehicle site located on each Recreational Vehicle Site, plus one for each 15 Recreational Vehicle Sites.

(Amended by Sec. 13, Ord. 69-23 and Sec. 4, Ord. 69-93)

- 9 8-63.18 PARKING SPACES REQUIRED: PLACES OF ASSEMBLY. The number of parking spaces required for Places of Public Assembly shall be not less than specified in the following table, adjusting fractions pursuant to Section 8-63.15.

USE	NUMBER OF SPACES REQUIRED
Auditorium, church, mortuary, Chapel, sports stadium or arena, race track, theater;	One (1) for each four (4) seats, counting eighteen (18) inches of seating space on a bench as one seat, and counting only the largest assembly room in the case of a church.
Assembly, exhibition, convention, meeting or dance hall; skating rink, bowling alley, library;	One (1) for each one hundred (100) square feet of Floor Area used for assembly, or one (1) for each six (6) "occupants" making up the "occupant load" pursuant to Section 3301 of the Building Code of the County, whichever is the greater requirement.
Restaurant, Bar, or other establishment of dining or drinking.	One for each sixty (60) square feet of Floor Area, or one (1) for each four (4) such "occupants" whichever is the greater requirement.

- 8 8-63.19 PARKING SPACES REQUIRED: BUSINESS ESTABLISHMENTS. The number of parking spaces required for Business Establishments shall be not less than specified in the following table, adjusting fractions pursuant to Section 8-63.15:

USE	NUMBER OF SPACES REQUIRED
Wholesale store, or the sale of retail of furniture, household appliances and equipment, machinery, or motor vehicles;	One (1) for each six hundred (600) feet of Floor Area up to 5,000 plus one (1) for each three hundred (300) square feet additional.
Retail store, market or shop, shopping center;	
a) Floor Area 6,000 square feet or less --	One (1) for each 300 square feet thereof.
b) Floor Area over 6,000 but less than 12,000 square feet --	Twenty (20) plus one (1) for each 150 square feet in excess of 6,000.
c) Floor Area 12,000 square feet or more --	Sixty (60) plus one (1) for each 100 square feet in excess of 12,000.
Office or Office building, bank, clinic, laboratory,	One (1) for each 250 square feet of Floor Area.

Manufacturing or industrial plant, storage building or yard, public utility building (except office), contractor's yard, lumber yard, business service shop, industrial laboratory, or use similar to any of these.

One (1) for each two (2) employees, based on the design capacity of the largest work shift, or one (1) for each one thousand (1,000) square feet of Floor Area, whichever is the greater requirement.

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8-64.0 **LOADING SPACES REQUIRED: COMMERCIAL AND INDUSTRIAL USES.** Every department store, freight terminal or railroad yard, Hospital, industrial plant, manufacturing establishment, retail establishment, storage, warehouse, or wholesale establishment, which has an aggregate gross floor area of fifteen thousand (15,000) square feet or more, arranged, intended or designed for such use, shall provide loading spaces in accordance with the following table.

AGGREGATE GROSS AREA USED, IN SQUARE FEET	NUMBER OF LOADING SPACES REQUIRED
15,000 or more, but not over 40,000	1
Over 40,000 but not over 100,000	2
Over 100,000 but not over 160,000	3
Over 160,000	3 plus 1 for each full 80,000 square feet in excess of 160,000.

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8-64.1 **LOADING SPACES REQUIRED: OTHER USES.** Every auditorium convention hall, exhibition hall, mortuary, Hotel, Motel, Multiple Dwelling, office building, restaurant or sports arena, which has an aggregate gross Floor Area of one hundred thousand (100,000) square feet or more, arranged, intended or designed for such use, shall provide loading spaces in accordance with the following table:

AGGREGATE GROSS AREA USED, IN SQUARE FEET	NUMBER OF LOADING SPACES REQUIRED
Over: But Not More Than	
100,000 150,000	1
150,000 400,000	2
400,000 660,000	3
660,000 970,000	4
970,000	4 plus 1 for each full 330,000 square feet in excess of 970,000.

8-65.0 SERVICE STATIONS. The regulations set forth in this and the following sections shall apply to the operation of a facility for the refueling and lubrication of motor vehicles. Two (2) types of facility are recognized in the District regulations: One, more restricted and herein designated as a Service Station Type A, and the other less restricted and herein designated as a Service Station Type B. Wherever a service station of either type is located adjacent to or opposite any R District, all exterior lighting shall be so installed as to be directed away from such R District. Along any boundary of a Service Station site which abuts any property in any R District, there shall be a solid masonry wall, a fence or a compact evergreen hedge, having a height not less than the maximum permitted under Section 8-60.55.

8-65.1 SERVICE STATION TYPE A. Wherever a Service Station Type A is permitted by the District regulations, a Service Station Type B shall be deemed to be excluded. Every Service Station Type A shall be subject to the following limitations and requirements:

- a) The Building Site shall have an area not less than ten thousand (10,000) square feet, with an Effective Lot Frontage on at least one (1) street, not less than one hundred twenty (120) feet;
- b) The Lot coverage, calculated as provided in Section 8-60.50 shall not exceed twenty (20) per cent;
- c) No Building shall be less than forty (40) feet from any Street line;
- d) All operations except those related to the actual refueling process, shall be conducted within a Building;
- e) There shall be provided, and maintained with planting a strip not less than six (6) feet wide along all Lot Lines abutting any property in an R District.

8-65.2 SERVICE STATION TYPE A: ACCESSORY USES. Uses accessory to Service Station Type A may include minor servicing of brakes and electrical equipment, the focusing of headlamps by adjustment, battery changing and the cleaning, adjustment and replacement of lights, spark plugs, distributor points and fan belts. The following operations are prohibited: Repair or reconditioning of the chassis, the engine, the body or the fenders of a motor vehicle; battery repair or rebuilding; valve grinding; welding, tire recapping; body painting; steam cleaning; car washing with mechanical equipment; upholstery repair or replacement; or the display outside a building of used vehicles, parts, parts of vehicles or tires for sale.

8-65.3 SERVICE STATION TYPE B. Wherever a Service Station Type B is permitted by the District Regulations, the uses and restrictions set forth in Section 8-65.1 and 8-65.2 are modified to the following extent: Accessory Uses may also include services and repair facilities not prohibited by the general regulations of the District within which the station is located.

(Amended by sec. 10, Ord. 68-58)

- 9 8-70.0 MOBILEHOME PARKS. The regulations set forth in this and following sections shall apply to the construction, maintenance and operation of Mobilehome Parks established after November 30, 1969, and to the expansion of any Mobilehome Park existing on November 30, 1969.
- 9 8-70.1 SAME: BUILDING SITE. All Mobilehome Parks shall be on a Building Site having an area not less than five (5) acres and a Median Lot Width not less than three hundred (300) feet.
- 9 8-70.2 SAME: DENSITY. The maximum permitted number of Mobilehome Sites shall be determined in accordance with Section 8-28.4, equating the term "Dwelling Unit" with the term "Mobilehome Site."
- 9 8-70.3 SAME: MOBILEHOME SITES. Mobilehome Sites shall have a minimum area of 2,500 square feet and a minimum width of thirty-five (35) feet.
- 9 8-70.4 SAME: UTILITIES. All utilities within the Mobilehome Park boundaries shall be underground.
- 9 8-70.5 SAME: COMMON AREAS. There shall be provided within the Park a minimum of three hundred (300) square feet of common area for each Mobilehome Site. This area shall be divided in appropriate amounts for recreation areas and buildings, storage areas and utility areas with the recreation area provided at not less than 200 sq. ft. per site. The common areas shall have a minimum width of 10' and shall include no portion of the required front yard, roadways, parking areas, Mobilehome Sites or areas with a ground slope exceeding twenty per cent (20%).
- 9 8-70.6. SAME: FENCING. The perimeter of the Mobilehome Park shall be surrounded by a fence not less than the height permitted by Section 8-60.55.
- 9 8-71.0 RECREATIONAL VEHICLE PARKS. The regulations set forth in this and following sections shall apply to the construction, maintenance and operation of Recreational Vehicle Parks.
- 9 8-71.1 SAME: BUILDING SITE. All Recreational Vehicle Parks shall be on a Building Site having an area not less than two (2) acres and a Median Lot Width not less than 150'.
- 9 8-71.2 SAME: RECREATIONAL VEHICLE SITE. Recreational Vehicle Sites shall have a minimum area of 800 sq. ft. and a minimum width of 16'.

(Amended by Sec. 4, Ord. 69-93)

Article 6

Future Width and Special Building Lines Future Width Lines

6	8-80.0	<u>Future width lines.</u>
6	8-80.12	<u>Same: Establishment Pending.</u>
6	8-81.1	<u>"A" Street.</u>
6	8-81.2	<u>Andrade Road.</u>
6	8-81.3	<u>Anita Avenue.</u>
6	8-81.38	<u>Arroyo Road.</u>
6	8-81.4	<u>Ashland Avenue.</u>
6	8-81.5	<u>Ashland Avenue.</u>
6	8-81.6	<u>Ashland Avenue.</u>
6	8-81.7	<u>Bartlett Avenue.</u>
6	8-81.8	<u>Bernal Avenue.</u>
6	8-81.9	<u>Black Avenue.</u>
6	8-81.10	<u>Bond Street.</u>
6	8-81.108	<u>Byron-Bethany Road.</u>
6	8-81.11	<u>Calaveras Road.</u>
6	8-81.12	<u>Castlewood Drive.</u>
6	8-81.13	<u>Center Street.</u>
6	8-81.14	<u>Center Street.</u>
6	8-81.15	<u>Center Street.</u>
6	8-81.16	<u>Crow Canyon Road.</u>
6	8-81.17	<u>Depot Road.</u>
6	8-81.171	<u>Depot Road.</u>
6	8-81.18	<u>Dougherty Road.</u>
6	8-81.19	<u>Dublin Boulevard.</u>
6	8-81.20	<u>Dunn Road.</u>
6	8-81.21	<u>East Lewelling Boulevard.</u>
6	8-81.22	<u>East Lewelling Boulevard.</u>
6	8-81.23	<u>East Lewelling Boulevard.</u>
6	8-81.24	<u>East Lewelling Boulevard.</u>
6	8-81.25	<u>East Lewelling Boulevard.</u>
6	8-81.26	<u>East Stanley Boulevard.</u>
6	8-81.27	<u>Eden Avenue.</u>
6	8-81.28	<u>Eden Canyon Road.</u>
6	8-81.30	<u>Foothill Road.</u>
6	8-81.31	<u>Foothill Road.</u>
6	8-81.32	<u>Garden Avenue.</u>
6	8-81.33	<u>Garin Avenue.</u>
6	8-81.34	<u>Grant Avenue.</u>
6	8-81.35	<u>Grant Avenue.</u>
6	8-81.36	<u>Grant Avenue.</u>
6	8-81.37	<u>Grant Avenue.</u>
6	8-81.374	<u>Grant Line Road.</u>
6	8-81.38	<u>Grove Way.</u>
6	8-81.39	<u>Grove Way.</u>
6	8-81.40	<u>Hampton Road.</u>
6	8-81.41	<u>Hansen Road.</u>
6	8-81.42	<u>Happy Valley Road.</u>

6	8-81.43	<u>Haviland Avenue.</u>
6	8-81.438	<u>Hesperian Boulevard.</u>
6	8-81.44	<u>Hill Avenue.</u>
6	8-81.45	<u>Hopyard Road.</u>
6	8-81.46	<u>Huber Drive.</u>
6	8-81.462	<u>Industrial Parkway West.</u>
6	8-81.47	<u>Jensen Road.</u>
6	8-81.48	<u>Junction Avenue.</u>
6	8-81.49	<u>Kilkare Road.</u>
6	8-81.50	<u>Kimball Avenue.</u>
6	8-81.51	<u>Lake Chabot Road.</u>
6	8-81.52	<u>Lake Chabot Road.</u>
6	8-81.53	<u>Laurel Avenue.</u>
6	8-81.54	<u>Lewelling Boulevard.</u>
6	8-81.55	<u>Lewelling Boulevard.</u>
6	8-81.56	<u>Lewelling Boulevard.</u>
6	8-81.57	<u>Lewelling Boulevard.</u>
6	8-81.58	<u>Lorenzo Avenue.</u>
6	8-81.59	<u>Los Banos Street.</u>
6	8-81.60	<u>Lower Road.</u>
6	8-81.61	<u>Marcella Street.</u>
6	8-81.62	<u>Martin Avenue.</u>
6	8-81.64	<u>Mateo Street.</u>
6	8-81.65	<u>Mattox Road.</u>
6	8-81.66	<u>Mattox Road.</u>
6	8-81.67	<u>Maubert Avenue.</u>
6	8-81.68	<u>Medford Avenue.</u>
6	8-81.69	<u>Meekland Avenue.</u>
6	8-81.70	<u>Middle Lane.</u>
6	8-81.71	<u>Mission Boulevard (State Highway 9).</u>
6	8-81.72	<u>Mono Avenue.</u>
6	8-81.73	<u>Oakview Avenue.</u>
6	8-81.74	<u>162nd Avenue.</u>
6	8-81.75	<u>166th Avenue.</u>
6	8-81.76	<u>168th Avenue.</u>
6	8-81.77	<u>Pacific Street.</u>
6	8-81.78	<u>Palomares Road.</u>
6	8-81.80	<u>Palo Verde Road.</u>
6	8-81.81	<u>Poplar Avenue.</u>
6	8-81.82	<u>Princeton Street.</u>
6	8-81.83	<u>Regent Way.</u>
6	8-81.84	<u>Rex Road.</u>
6	8-81.85	<u>Rio Vista Street.</u>
6	8-81.86	<u>Rio Vista Street.</u>
6	8-81.87	<u>Royal Avenue.</u>
6	8-81.88	<u>Ruus Road.</u>
6	8-81.89	<u>Ruus Road.</u>
6	8-82.0	<u>Santa Maria Avenue.</u>
6	8-82.1	<u>Santa Rita Road.</u>
6	8-82.2	<u>Santa Rita Road.</u>

6	8-82.3	<u>Sheridan Road.</u>
6	8-82.4	<u>Smalley Avenue.</u>
6	8-82.5	<u>Somerset Avenue.</u>
6	8-82.6	<u>South Garden Avenue.</u>
6	8-82.7	<u>South Livermore Avenue.</u>
6	8-82.8	<u>South Vasco Road.</u>
6	8-82.9	<u>Stanley Boulevard.</u>
6	8-82.10	<u>Stanley Boulevard.</u>
6	8-82.11	<u>Stanton Avenue.</u>
6	8-82.12	<u>Sunnyslope Avenue.</u>
6	8-82.13	<u>Sycamore Road.</u>
6	8-82.14	<u>Tanager Avenue.</u>
6	8-82.15	<u>Tassajara Road.</u>
6	8-82.157	<u>Taylor Avenue.</u>
6	8-82.16	<u>Tehama Avenue.</u>
6	8-82.17	<u>Tesla Road.</u>
6	8-82.18	<u>Tesla Road.</u>
6	8-82.19	<u>Vallejo Street.</u>
6	8-82.20	<u>Valley Avenue.</u>
6	8-82.201	<u>Vasco Road.</u>
6	8-82.202	<u>Vasco Road.</u>
6	8-82.21	<u>Vineyard Avenue.</u>
6	8-82.217	<u>Wente Street.</u>
6	8-82.22	<u>West "A" Street.</u>
6	8-82.23	<u>West Sunset Boulevard.</u>
6	8-82.24	<u>West Winton Avenue.</u>
6	8-82.25	<u>West Winton Avenue.</u>
6	8-82.26	<u>Western Boulevard.</u>
6	8-82.27	<u>Western Boulevard.</u>
6	8-82.28	<u>Wilbeam Avenue.</u>
6	8-82.29	<u>Willow Avenue.</u>
6	8-82.30	<u>Windfeldt Road.</u>
6	8-82.32	<u>Grove Way.</u>
6	8-82.33	<u>East Avenue.</u>
6	8-82.34	<u>North Livermore Avenue.</u>
6	8-82.35	<u>Las Positas Road.</u>
6	8-82.36	<u>Dublin Boulevard.</u>
6	8-82.37	<u>Hesperian Boulevard.</u>
6	8-82.38	<u>Hesperian Boulevard.</u>
6	8-82.39	<u>Hesperian Boulevard.</u>
6	8-82.40	<u>Hesperian Boulevard.</u>
6	8-82.41	<u>Hesperian Boulevard.</u>
6	8-82.42	<u>Maud Avenue.</u>
6	8-82.43	<u>Kelly Street.</u>
6	8-82.44	<u>Fairview Avenue.</u>
6	8-82.45	<u>"D" Street.</u>
6	8-82.46	<u>Alisal Street.</u>
6	8-82.47	<u>Pleasanton-Sunol Road.</u>
6	8-82.48	<u>Grove Way.</u>
6	8-82.49	<u>Tassajara Road.</u>
6	8-82.50	<u>Mohr Drive.</u>
6	8-82.51	<u>North Lane.</u>
6	8-82.52	<u>Saklan Road.</u>
6	8-82.53	<u>West Street.</u>
6	8-82.54	<u>Meekland Avenue.</u>
6	8-82.55	<u>San Carlos Avenue.</u>

6	8-82.56	<u>"A" Street.</u>
6	8-82.57	<u>Redwood Road.</u>

ARTICLE 6

FUTURE WIDTH AND SPECIAL BUILDING LINES

- 6 8-80.0 FUTURE WIDTH LINES. For the purpose of measuring Yard dimensions and determining Building locations with respect to future width lines, there are the Future Width Lines contained in this article for streets and highways.
- 6 8-80.12 SAME: ESTABLISHMENT PENDING. Establishment of Future Width Lines is pending the establishment of Official Plan Lines based upon the Street and Highway Plan or sections thereof, of the Master Plan of the County.
- 6 8-81.1 "A" Street. Northerly side, from the Southern Pacific Company right-of-way easterly to a point on the boundary line of the City of Hayward approximately 145 feet easterly of Princeton Street, excluding those portions lying within the City of Hayward, forty-six feet (46') as measured from and on each side of the existing centerline.
- (Based on sec. 1, Ord. 532 N.S.)
- 6 8-81.2 Andrade Road. From Sheridan Road to Mission Road, thirty feet (30') as measured from and on each side of the existing centerline.
- (Based on sec. 2, Ord. 238 N.S.)
- 6 8-81.3 Anita Avenue. From Castro Valley Boulevard to Somerset Avenue, twenty-five feet (25') as measured from and on each side of the existing centerline.
- (Based on sec. 1, Ord. 577 N.S.)
- 6 8-81.38 Arroyo Road. From the existing Livermore City boundary south to Wetmore Road forty-four (44) feet as measured from and on each side of existing centerline.
- (Based on sec. 1, Ord. 67-53)
- 6 8-81.4 Ashland Avenue. From Delano Street to East 14th Street, thirty-seven feet (37') as measured westerly from the existing centerline, and forty-three feet (43') as measured easterly from the existing centerline.
- (Based on sec. 2, Ord. 291 N.S.)
- 6 8-81.5 Ashland Avenue. From East Lewelling Boulevard to the Western Pacific Railroad Company right-of-way, forty feet (40') as measured from and on each side of the existing centerline.
- (Based on sec. 2, Ord. 433 N.S.)

- 6 8-81.6 Ashland Avenue. From the Western Pacific Railroad Company right-of-way to Delano Street, forty-four feet (44') as measured westerly from the existing centerline, and thirty-six feet (36') as measured easterly from the existing centerline.

(Based on sec. 2, Ord. 291 N.S.)

- 6 8-81.7 Bartlett Avenue. From Hesperian Boulevard to Garden Avenue, thirty feet (30') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 363 N.S.)

- 6 8-81.8 Bernal Avenue. From Foothill Road to the City Limits of Pleasanton, fifty feet (50') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 172 N.S.)

- 6 8-81.9 Black Avenue. From Hopyard Road to Santa Rita Road, fifty feet (50') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 172 N.S.; repealed by sec. 1, Ord. 70-34)

- 6 8-81.10 Bond Street. From Foothill Road to Main Street, thirty feet (30') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 172 N.S.)

- 6 8-81.108 Byron-Bethany Road. On the southwesterly side 50 feet westerly from the existing westerly right-of-way line, from Contra Costa County Line to San Joaquin County Line.

(Based on sec. 2, Ord. 67-42)

- 6 8-81.11 Calaveras Road. From Mission Road to the county line dividing Alameda County and Santa Clara County, thirty feet (30') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 172 N.S.)

- 6 8-81.12 Castlewood Drive. From Foothill Road to Pleasanton-Sunol Road, fifty feet (50') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 172 N.S.)

- 6 8-81.13 Center Street. From the boundary line of the City of Hayward to Grove Way, forty feet (40') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 414 N.S.)

- 6 8-81.14 Center Street. From Grove Way to State Highway 50, forty feet (40') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 182 N.S.; repealed by sec. 1, Ord. 70-34)

6 8-81.15 Center Street. From Castro Valley Boulevard to James Avenue, thirty feet (30') from and on each side of the existing centerline.

(Based on sec. 2, Ord. 493 N.S.)

6 8-81.16 Crow Canyon Road. From State Highway 50 to the county line dividing Alameda County and Contra Costa County, fifty feet (50') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 295 N.S.)

6 8-81.17 Depot Road. From Hesperian Boulevard to Clawiter Road forty feet (40') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 321 N.S.; Amended by sec. 3, Ord. 68-3)

6 8-81.171 Depot Road. From Clawiter Road to its westerly terminus forty-six (46) feet as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 68-3)

6 8-81.18 Dougherty Road. From Scarlett Court north to Sierra Lane Five (5) feet easterly of the existing easterly right of way line. From Sierra Lane to a point approximately one thousand (1,000) feet northerly of Amador Valley Boulevard, fifty-five (55) feet as measured from and on each side of the existing centerline. From said point northerly to the Alameda County Contra Costa County boundary on a curvealinear alignment to a maximum of 145' westerly of and 160' easterly of the centerline of the existing roadway as shown on the map labelled "Dougherty Road Future Width Lines, Exhibit A, November 29, 1971" on file with the Alameda County Planning Commission.

(Based on sec. 2, Ord. 172 N.S.; amended by sec. 1, Ord. 73-3; amended by sec. 1, Ord. 74-75)

6 8-81.19 Dublin Boulevard. From Silvergate Drive easterly to Village Parkway, fifty feet (50') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 172 N.S.; amended by sec. 3, Ord. 70-34)

6 8-81.20 Dunn Road. From Clawiter Road westerly to the Southern Pacific Railroad right-of-way thirty (30) feet as measured from and on each side of the existing centerline.

(Based on sec. 1, Ord. 544 N.S.)

6 8-81.21 East Lewelling Boulevard. From the Western Pacific Railroad Company right-of-way to the easterly line of Mission Boulevard forty feet (40') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 291 N.S.)

6 8-81.22 East Lewelling Boulevard. Northerly side, from the Southern Pacific Company right-of-way to a point 525 feet westerly from the centerline of Ashland Avenue, eighty feet (80') as measured northerly from the existing southerly right-of-way line.

(Based on sec. 1, Ord. 426 N.S.)

6 8-81.23 East Lewelling Boulevard. From a point 525 feet westerly

from the centerline of Ashland Avenue to a point 125 feet westerly from the centerline of Ashland Avenue:

The northerly future width line shall be established as follows:

Commencing at a point forty-seven feet (47') northerly from the centerline of Lewelling Boulevard, measured at right angles thereto, distant along said centerline 525 feet westerly from the centerline of Ashland Avenue; thence easterly to a point thirty-three feet (33') northerly from the centerline of Lewelling Boulevard, measured at right angles thereto, distant along said centerline 125 feet westerly from the centerline of Ashland Avenue.

The southerly future width line shall be established eighty feet (80') southerly from the northerly future width line hereinabove established.

(Based on sec. 1, Ord. 426 N.S.)

- 6 8-81.24 East Lewelling Boulevard. Southerly side, from a point 125 feet westerly from the centerline of Ashland Avenue to the angle point approximately 60 feet easterly from the centerline of Alisal Court, eighty feet (80') as measured southerly from the existing northerly right-of-way line.

(Based on sec. 1, Ord. 426 N.S.)

- 6 8-81.25 East Lewelling Boulevard. From the angle point approximately 60 feet (60') easterly from the centerline of Alisal Court to the Western Pacific Railroad Company right-of-way:

The southerly future width line shall be established as follows:

Commencing at a point forty-seven feet (47') southerly from the centerline of Lewelling Boulevard, measured at right angles thereto, distant along said centerline 59.55 feet easterly from the centerline of Alisal Court; thence easterly to a point on the southwesterly right-of-way line of the Western Pacific Railroad Company forty feet (40') southerly of the centerline of Lewelling Boulevard, measured at right angles thereto.

The northerly future width line shall be established eighty feet (80') northerly from the southerly future width line hereinabove established.

(Based on sec. 1, Ord. 426 N.S.)

- 6 8-81.26 East Stanley Boulevard. From Isabel Avenue to the City of Livermore boundary line, sixty-three feet (63') as measured

southeasterly from the existing centerline and thirty-three feet (33') as measured northwesterly from the existing centerline.

(Based on sec. 3, Ord. 376 N.S.; repealed by sec. 1, Ord. 70-34)

- 6 8-81.27 Eden Avenue. From West Street northerly to an angle point approximately six hundred (600) feet north of Middle Lane, thirty-four (34) feet as measured from and on each side of the existing centerline, and from said angle point to North Lane, thirty-one and one-half (31.5) feet as measured westerly from the existing centerline.

(Based on sec. 1, Ord. 613 N.S.; Amended by sec. 1, Ord. 68-69)

- 6 8-81.28 Eden Canyon Road. From State Highway 50 to the northeasterly terminus, thirty feet (30') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 295 N.S.)

- 6 8-81.30 Foothill Road. From State Highway 50 to Verona Road, fifty feet (50') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 172 N.S.)

- 6 8-81.31 Foothill Road. From Verona Road to Kilkare Road, thirty feet (30') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 172 N.S.)

- 6 8-81.32 Garden Avenue. From Bartlett Avenue to West "A" Street, thirty feet (30') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 363 N.S.)

- 6 8-81.33 Garin Avenue. From the easterly boundary line of the City of Hayward to its easterly terminus, thirty-four feet (34') as measured from and on each side of the existing centerline.

(Based on sec. 1, Ord. 544 N.S.)

- 6 8-81.34 Grant Avenue. From Via Alamos to Lorenzo Avenue, eighty-six feet (86') as measured southeasterly from the existing northwesterly right-of-way line.

(Based on sec. 2, Ord. 299 N.S.)

- 6 8-81.35 Grant Avenue. From Lorenzo Avenue to Channel Street, seventy-eight feet (78') as measured southeasterly from the existing northwesterly right-of-way line.

(Based on sec. 2, Ord. 299 N.S.)

- 6 8-81.36 Grant Avenue. From Channel Street to the Southern Pacific Railroad, forty-seven feet (47') as measured northerly from the existing centerline and thirty-nine feet (39') as measured southerly from the existing centerline.

(Based on sec. 2, Ord. 100 N.S.)

- 6 8-81.37 Grant Avenue. From the Southern Pacific Company railroad southwesterly to end of County Road, forty-seven feet (47') as measured northwesterly from the existing centerline and thirty-nine feet (39') as measured southeasterly from the existing centerline.

(Based on sec. 2, Ord. 299 N.S.; repealed by sec. 1, Ord. 70-34)

- 6 8-81.374 Grant Line Road. From the existing northerly right-of-way boundary of Interstate Route 580 north and east to the Alameda County-San Joaquin County Boundary fifty-five (55) feet as measured from and on each side of existing centerline.

(Based on sec. 1, Ord. 67-40)

- 6 8-81.38 Grove Way. From Center Street to State Highway 50, forty-three feet (43') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 182 N.S.; renumbered by sec. 2, Ord. 70-34)

- 6 8-81.39 Grove Way. From City of Hayward to a point approximately 120 feet northeasterly of Oak Street, thirty feet (30') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 291 N.S.)

- 6 8-81.40 Hampton Road. From Meekland Avenue to Mission Boulevard, thirty feet (30') as measured from and on the existing centerline.

(Based on sec. 2, Ord. 291 N.S.)

- 6 8-81.41 Hansen Road. From East Avenue to Randall Way on either or both sides of the existing right-of-way lines as shown on the map labelled "Exhibit A, Hansen Road, East Avenue to Fairview Avenue, Future Width Lines (4 sheets), March, 1972", on file with the Alameda County Planning Commission.

(Based on sec. 2, Ord. 212 N.S.; amended by sec. 1, Ord. 74-86)

- 6 8-81.42 Happy Valley Road. From Pleasanton-Sunol Road to Alisal Street, twenty-five feet (25') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 341 N.S.)

- 6 8-81.43 Haviland Avenue. From Medford Avenue to Willow Avenue, thirty feet (30') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 291 N.S.)

- 6 8-81.438 Hesperian Boulevard. Twenty-eight (28) feet easterly of the existing easterly right-of-way, from a point 189 feet northerly of the northerly right-of-way of Paseo Grande northerly to San Lorenzo Creek.

(Based on sec. 1, Ord. 67-65; Amended by sec. 1, Ord. 67-74; repealed by sec. 1, Ord. 71-93)

- 6 8-81.44 Hill Avenue. From the boundary line of the City of Hayward southeasterly to end, thirty feet (30') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 212 N.S.)

- 6 8-81.45 Hopyard Road. From State Highway 50 to the boundary line of the City of Pleasanton, fifty feet (50') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 172 N.S.; repealed by sec. 1, Ord. 70-34)

- 6 8-81.46 Huber Drive. Twenty-two feet (22') as measured from and on each side of the existing centerline.

(Based on sec. 1, Ord. 506 N.S.)

- 6 8-81.462 Industrial Parkway West. From the City of Hayward Boundary at Ruus Road easterly to the City of Hayward Boundary at Pacific Street forty-six (46) feet as measured northerly from the existing centerline.

(Based on sec. 2, Ord. 67-80)

- 6 8-81.47 Jensen Road. From State Highway 50 to the northeasterly terminus, thirty feet (30') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 295 N.S.)

- 6 8-81.48 Junction Avenue. From U. S. 50 southeasterly to Portola Avenue, fifty feet (50') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 658 NS.)

- 6 8-81.49 Kilkare Road. From Foothill Road to the northwesterly terminus, twenty-five feet (25') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 172 N.S.)

- 6 8-81.50 Kimball Avenue. From Rio Vista Street to Foothill Boulevard, twenty-five feet (25') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 389 N.S.)

- 6 8-81.51 Lake Chabot Road. From the most westerly corner of Tract 1674 to a point approximately 3,700 feet northwesterly therefrom, fifty-six feet (56') as measured northeasterly from the centerline of the existing sixty (60') foot right-of-way.

(Based on sec. 2, Ord. 240 N.S.)

- 6 8-81.52 Lake Chabot Road. From a point approximately 3,700 feet northwesterly of the most westerly corner of Tract 1674 to the boundary of the City of San Leandro, fifty-six (56) feet as measured southwest-erly from the centerline of the existing right-of-way.

(Based on sec. 2, Ord. 240 N.S.; amended by sec. 4, Ord. 70-34)

- 6 8-81.53 Laurel Avenue. From Meekland Avenue to the City of Hayward boundary line, thirty feet (30') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 291 N.S.)

- 6 8-81.54 Lewelling Boulevard. Southerly side, from the Nimitz Freeway to Hesperian Boulevard, forty-two feet (42') as measured southerly from the existing centerline.

(Based on sec. 1, Ord. 426 N.S.; repealed by sec. 1, Ord. 70-34)

- 6 8-81.55 Lewelling Boulevard. From Hesperian Boulevard to Usher Street, forty-two feet (42') as measured from and on each side of the existing centerline.

(Based on sec. 1, Ord. 426 N.S.)

- 6 8-81.56 Lewelling Boulevard. From Usher Street to Tracy Street; the northerly future width lines shall be established as follows:

Commencing at a point on the easterly right-of-way lines of Usher Street (formerly Second Street) distant thereon forty feet (40') northerly from the intersection thereof with the centerline of Lewelling Boulevard; thence easterly to a point on the easterly right-of-way line of Tracy Street (formerly Third Street) distant thereon forty-seven feet (47') northerly from the intersection thereof with the centerline of Lewelling Boulevard.

The southerly future width line shall be established eighty feet (80') southerly from the northerly future width line hereinabove established.

(Based on sec. 1, Ord. 426 N.S.)

- 6 8-81.57 Lewelling Boulevard. Northerly side, from Tracy Street to the Southern Pacific Company right-of-way, eighty feet (80') as measured northerly from the existing southerly right-of-way line.

(Based on sec. 1, Ord. 426 N.S.)

- 6 8-81.58 Lorenzo Avenue. From Grant Avenue to its northerly terminus, twenty-five feet (25') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 167 N.S.)

- 6 8-81.59 Los Banos Street. From 165th Avenue to 169th Avenue, thirty feet (30') as measured from and on each side of the existing centerline.
- (Based on sec. 2, Ord. 291 N.S.)
- 6 8-81.60 Lower Road. From Foothill Boulevard to Mattox Road, thirty feet (30') as measured from and on each side of the existing centerline.
- (Based on sec. 2, Ord. 328 N.S.; repealed by sec. 1, Ord. 70-34)
- 6 8-81.61 Marcella Street. From Mono Avenue to 162nd Avenue, thirty feet (30') as measured from and on each side of the existing centerline.
- (Based on sec. 2, Ord. 291 N.S.)
- 6 8-81.62 Martin Avenue. From Mohr Avenue to the northerly terminus, thirty feet (30') as measured from and on the existing centerline.
- (Based on sec. 2, Ord. 172 N.S.)
- 6 8-81.64 Mateo Street. From Mono Avenue to 162nd Avenue, thirty feet (30') as measured from and on each side of the existing centerline.
- (Based on sec. 2, Ord. 291 N.S.)
- 6 8-81.65 Mattox Road. From Mission Boulevard to Foothill Boulevard, thirty feet (30') as measured from and on each side of the existing centerline.
- (Based on sec. 2, Ord. 291 N.S.)
- 6 8-81.66 Mattox Road. Southeasterly side, from Foothill Boulevard to Oak Street, thirty feet (30') as measured southeasterly from the existing centerline.
- (Based on sec. 2, Ord. 291 N.S.)
- 6 8-81.67 Maubert Avenue. From Tanager Avenue to 163rd Avenue, thirty feet (30') as measured from and on each side of the existing centerline.
- (Based on sec. 2, Ord. 291 N.S. and sec. 1, Ord. 554 N.S.)

- 6 8-81.68 Medford Avenue. From Meekland Avenue to Mission Boulevard, thirty feet (30') as measured from and on each side of the existing centerline.
- (Based on sec. 2, Ord. 291 N.S.)
- 6 8-81.69 Meekland Avenue. From San Lorenzo Creek to "A" Street, thirty-four feet (34') as measured from and on each side of the existing centerline.
- (Based on sec. 2, Ord. 291 N.S.)
- 6 8-81.70 Middle Lane. From Clawiter Road easterly to Saklan Road, thirty (30) feet as measured northerly from the existing centerline, and thirty-eight (38) feet as measured southerly from the existing centerline, and from Saklan Road easterly to Eden Avenue thirty-eight (38) feet as measured northerly from the existing centerline, and thirty (30) feet as measured southerly from the existing centerline.
- (Based on sec. 1, Ord. 544 N.S.; amended by sec. 1, Ord. 68-69)
- 6 8-81.71 Mission Boulevard (State Highway 9). From the most southerly corner of Tract 1406 to Dry Creek, one hundred and two feet (102') as measured northeasterly from the centerline of the existing 100' right-of-way.
- (Based on sec. 2, Ord. 223 N.S.)
- 6 8-81.72 Mono Avenue. From Maubert Avenue to Mateo Street, thirty feet (30') as measured from and on each side of the existing centerline.
- (Based on sec. 2, Ord. 291 N.S.)
- 6 8-81.73 Oakview Avenue. From Rio Vista Street to Foothill Boulevard, twenty-five feet (25') as measured from and on each side of the existing centerline.
- (Based on sec. 2, Ord. 389 N.S.)
- 6 8-81.74 162nd Avenue. From East 14th Street to Foothill Boulevard, thirty feet (30') as measured from and on each side of the existing centerline.
- (Based on sec. 2, Ord. 291 N.S. and sec. 2, Ord. 517 N.S.)
- 6 8-81.75 166th Avenue. From East 14th Street to Los Banos Street, thirty feet (30') as measured from and on each side of the existing centerline.
- (Based on sec. 2, Ord. 291 N.S.)
- 6 8-81.76 168th Avenue. From East 14th Street to Los Banos Street, thirty feet (30') as measured from and on each side of the existing

centerline.

(Based on sec. 2, Ord. 291 N.S.)

- 6 8-81.77 Pacific Street. From Industrial Parkway West to the boundary line of the City of Hayward, thirty-four feet (34') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 298 N.S.)

- 9 8-81.78 Palomares Road. From Palo Verde Road southeasterly to Niles Canyon Road (State Highway) forty-three feet (43') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 212 N.S. & Ord. 238 N.S.)

- 9 8-81.80 Palo Verde Road. From East Castro Valley Boulevard to East Castro Valley Boulevard, forty-three feet (43') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 212 N.S.)

- 6 8-81.81 Poplar Avenue. From Meekland Avenue to Princeton Street, thirty feet (30') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 291 N.S.)

- 6 8-81.82 Princeton Street. From Willow Avenue to "A" Street, thirty feet (30') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 291 N.S.)

- 6 8-81.83 Regent Way. From Ehle Street to John Street, twenty-five feet (25') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 388 N.S.)

- 6 8-81.84 Rex Road. From Rio Vista Street to the boundary line of the City of Hayward, twenty-five feet (25') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 389 N.S.)

- 6 8-81.85 Rio Vista Street. From Kimball Avenue to Oakview Avenue, twenty-five feet (25') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 389 N.S.)

- 6 8-81.86 Rio Vista Street. From Rex Road to Hazel Avenue, twenty-five feet as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 389 N.S.)

- 6 8-81.87 Royal Avenue. From Bartlett Avenue to West "A" Street, thirty feet (30') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 363 N.S.)

- 6 8-81.88 Ruus Road. From Tennyson Road to Folsom Avenue, excluding that portion lying within the City of Hayward, thirty feet (30') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 500 N.S.)

- 6 8-81.89 Ruus Road. From Folsom Avenue to Industrial Parkway West excluding that portion lying within the City of Hayward, thirty-four feet (34') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 500 N.S.)

- 6 8-82.0 Santa Maria Avenue. From Castro Valley Boulevard to Somerset Avenue, 28' from and on either side of the existing centerline.

(Based on sec. 2, Ord. 957 N.S.)

- 6 8-82.1 Santa Rita Road. From State Highway 50 to the angle point approximately 3,000 feet northerly of Mohr Avenue, sixty-seven feet (67') as measured westerly from the existing centerline and thirty-three feet (33') as measured easterly from the existing centerline.

(Based on sec. 2, Ord. 172 N.S.)

- 6 8-82.2 Santa Rita Road. From Valley Avenue north sixty-four (64) feet as measured from and on each side of existing centerline.

(Based on sec. 2, Ord. 172 N.S.; amended by sec. 1, Ord. 67-2; repealed by sec. 1, Ord. 70-34)

- 6 8-82.3 Sheridan Road. From Mission Road southeasterly to end, thirty feet (30') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 238 N.S.)

- 6 8-82.4 Smalley Avenue. From Meekland Avenue to the City of Hayward boundary line, thirty feet (30') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 291 N.S.)

- 6 8-82.5 Somerset Avenue. From 168th Avenue to Redwood Road, thirty feet (30') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 521 N.S.)

- 6 8-82.6 South Garden Avenue. From West "A" Street to Marin Avenue, thirty feet (30') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 363 N.S.)

- 6 8-82.7 South Livermore Avenue. From the boundary line of the City of Livermore to Tesla Road, fifty feet (50') as measured from and on each side of the existing centerline.

(Based on sec. 1, Ord. 444 N.S.)

- 6 8-82.8 South Vasco Road. From the City of Livermore boundary at the Southern Pacific Railroad southerly to Tesla Road, 12' to 30' on either or both sides of the existing right-of-way lines as shown on the map labelled "South Vasco Road Future Width Lines, Exhibit A, May 24, 1971" on file with the Alameda County Planning Commission.

(Based on sec. 2, Ord. 682 N.S.; amended by sec. 1, Ord. 71-56)

- 6 8-82.9 Stanley Boulevard. From the boundary line of the City of Pleasanton to the Southern Pacific Railroad Company right-of-way, forty feet (40') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 172 N.S.)

- 6 8-82.10 Stanley Boulevard. From the Southern Pacific Railroad Company right-of-way to Isabel Avenue, sixty-three feet (63') as measured southeasterly from the existing centerline and thirty-three feet (33') measured northwesterly from the existing centerline.

(Based on sec. 2, Ord. 172 N.S. & Ord. 376 N.S.)

- 6 8-82.11 Stanton Avenue. From Castro Valley Boulevard to Somerset Street, thirty-four feet (34') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 364 N.S.)

- 6 8-82.12 Sunnyslope Avenue. From State Highway 50 to the northeasterly terminus, thirty feet (30') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 295 N.S.)

- 6 8-82.13 Sycamore Road. From Pleasanton-Sunol Road to Alisal Street, thirty feet (30') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 341 N.S.)

- 6 8-82.14 Tanager Avenue. From Liberty Street to Maubert Avenue, thirty feet as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 291 N.S.)

- 6 8-82.15 Tassajara Road. From State Highway 50 to the Alameda-Contra Costa County Line, fifty feet (50') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 172 N.S.)

- 9 8-82.157 Taylor Avenue. From Industrial Parkway West northerly to Polson Avenue Thirty-four (34) feet as measured from and on each side of existing centerline.

(Based on sec. 2, Ord. 67-80)

- 6 8-82.16 Tehama Avenue. From South Garden Avenue to Happyland Avenue, twenty-five feet (25') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 363 N.S.)

- 6 8-82.17 Tesla Road. From South Livermore Avenue to South Vasco Road, fifty (50) feet as measured from and on each side of the existing centerline.

(Based on sec. 1, Ord. 444 N.S.)

- 6 8-82.18 Tesla Road. From South Vasco Road to Greenville Road, forty feet (40') as measured from and on each side of the existing centerline.

(Based on sec. 1, Ord. 444 N.S.)

- 6 8-82.19 Vallejo Street. From Sunset Boulevard to the northerly terminus, thirty feet (30') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 507 N.S.)

6 8-82.20 Valley Avenue. From Santa Rita Road to Hopyard Road, forty feet (40') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 355 N.S.; repealed by sec. 1, Ord. 70-34)

6 8-82.201 Vasco Road. From the existing northerly right-of-way line of Interstate Route 580 to a point approximately nine hundred-ninety (990) feet north of the centerline of Scenic Avenue (Livermore City Boundary) forty-four (44) feet as measured from and on either side of the existing centerline.

(Based on sec. 1, Ord. 67-24)

6 8-82.202 Vasco Road. From the southerly right-of-way line of Dalton Avenue (Livermore City Boundary) to the Alameda County - Contra Costa County boundary, forty-four (44) feet as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 67-24)

6 8-82.21 Vineyard Avenue. From the City of Pleasanton boundary line to the Pleasanton-Murray Township line, forty-three feet (43') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 172 N.S.)

6 8-82.217 Wente Street. From South Livermore Avenue south to Marina Avenue forty-four (44) feet as measured from and on each side of existing centerline.

(Based on sec. 1, Ord. 67-53)

6 8-82.22 West "A" Street. From the Southern Pacific Company right-of-way westerly to Hesperian Boulevard, excluding those portions lying within the City of Hayward, forty-six feet (46') as measured from and on each side of the existing centerline.

(Based on sec. 1, Ord. 532 N.S.)

6 8-82.23 West Sunset Boulevard. From Hesperian Boulevard to Garden Avenue, thirty feet (30') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 363 N.S.)

6 8-82.24 West Winton Avenue. From the boundary line of the City of Hayward easterly to the Southern Pacific Company right-of-way forty-six feet (46') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 267 N.S.)

6 8-82.25 West Winton Avenue. From Hesperian Boulevard westerly to its westerly terminus, excluding that portion lying within the City of Hayward, fifty feet (50') as measured on each side of the existing centerline.

(Based on Sec. 2, Ord. 342 N.S.)

- 6 8-82.26 Western Boulevard. Southwesterly side from Hampton Road to the City of Hayward boundary line, forty-four feet (44') as measured southwesterly from the existing northeasterly right-of-way line.
- (Based on sec. 2, Ord. 291 N.S.)
- 6 8-82.27 Western Boulevard. Northeasterly side, from Hampton Road to the City of Hayward boundary line, forty-four feet (44') as measured northeasterly from the existing southwesterly right-of-way line.
- (Based on sec. 2, Ord. 291 NS.)
- 6 8-82.28 Wilbeam Avenue. From Castro Valley Boulevard to Norbridge Avenue, thirty feet (30') as measured from and on each side of the existing centerline.
- (Based on sec. 2, Ord. 414 N.S.)
- 6 8-82.29 Willow Avenue. From Meekland Avenue to Western Boulevard, thirty feet (30') as measured from and on each side of the existing centerline.
- (Based on sec. 2, Ord. 291 N.S.)
- 6 8-82.30 Windfeldt Road. From East Avenue to Second Street, thirty feet (30') as measured from and on each side of the existing centerline.
- (Based on sec. 2, Ord. 212 N.S.)
- 6 8-82.32 Grove Way. From Redwood Road to Center Street, forty feet (40') as measured from and on each side of the existing centerline.
- (Based on sec. 2, Ord. 446 N.S.)
- 6 8-82.33 East Avenue. From the Livermore City limits to South Vasco Road, 44' from and on each side of the existing centerline. From South Vasco Road to Greenville Road, 40' north and 60' south of the existing centerline.
- (Based on sec. 1, Ord. 963 N.S.; amended by sec. 1, Ord. 71-56)
- 6 8-82.34 North Livermore Avenue. From Portola Avenue, northerly to Manning Road, forty feet (40') as measured from and on each side of the existing centerline.
- (Based on sec. 1, Ord. 697 N.S.)
- 6 8-82.35 Las Positas Road. From North Livermore Avenue, easterly to First Street, thirty feet (30') as measured from and on each side of the existing centerline.
- (Based on sec. 1, Ord. 697 N.S.)
- 6 8-82.36 Dublin Boulevard. From Village Parkway easterly to Clydesdale Road, eighty-three feet (83') northerly of the existing southerly right-of-way line and seventeen feet (17') southerly of the existing southerly right-of-way line.

(Based on sec. 1, Ord. 598 NS.; amended by sec. 5, Ord. 70-34)

6 8-82.37 through 8-82.40 Hesperian Boulevard.

(Repealed by sec. 1, Ord. 70-34)

6 8-82.41 Hesperian Boulevard.

(Based on sec. 2, Ord. 289 N.S.; repealed by sec. 1, Ord. 71-93)

6 8-82.42 Maud Avenue. From Kelly Street to "D" Street, forty (40) feet from and on each side of the existing centerline.

(Based on sec. 1, Ord. 1016 N.S.; amended by sec. 1, Ord. 1018 N.S.)

6 8-82.43 Kelly Street. From where City Limit of Hayward crosses Kelly Street to Maud Avenue, thirty-four (34) feet from and on each side of the existing centerline.

(Based on sec. 1, Ord. 1016 N.S.; amended by sec. 1, Ord. 1018 N.S.)

6 8-82.44 Fairview Avenue. From "D" Street to Hayward Boulevard, forty (40) feet from and on each side of existing centerline.

(Based on sec. 1, Ord. 1016 N.S.; amended by sec. 1, Ord. 1018 N.S.)

6 8-82.45 "D" Street. From where City Limit of Hayward crosses "D" Street to Fairview Avenue, forty (40) feet from and on each side of existing centerline.

(Based on sec. 1, Ord. 1016 N.S.; amended by sec. 1, Ord. 1018 N.S.)

6 8-82.46 Alisal Street. From Sycamore Road to Happy Valley Road, thirty (30) feet as measured from and on each side of the existing centerline.

(Based on Ord. 341 N.S.; amended by sec. 6, Ord. 70-34)

6 8-82.47 Pleasanton-Sunol Road. From Verona Road to the boundary line of the City of Pleasanton, fifty (50) feet as measured from and on each side of the existing centerline.

(Based on Ord. 172 N.S.)

6 8-82.48 Grove Way. From Center Street to State Highway 50, forty-three feet (43') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 182 N.S.; renumbered by sec. 2, Ord. 70-34)

6 8-82.49 Tassajam Road. From its intersection with Santa Rita Road northeasterly approximately three hundred (300) feet to the Pleasanton City boundary sixty-four (64) feet as measured from and on each side of existing centerline.

(Based on sec. 2, Ord. 67-2; renumbered by sec. 2, Ord. 70-34)

6 8-82.50 Mohr Drive. From Denton Avenue southerly to West Street, twenty-eight (28) feet as measured from and on each side of the existing centerline, and from West Street southerly to Depot Road, thirty-four (34) feet as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 68-69)

- 6 8-82.51 North Lane. From Saklan Road easterly to Eden Avenue, thirty-four (34) feet as measured southerly from the existing centerline.

(Based on sec. 2, Ord. 68-69)

- 6 8-82.52 Saklan Road. From North Lane southerly to West Street thirty (30) feet as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 68-69)

- 6 8-82.53 West Street. From Clawiter Road easterly to Eden Avenue, sixty-eight (68) feet as measured northerly from the existing southerly right-of-way line, and from Eden Avenue easterly to Mohr Drive, sixty-eight (68) feet as measured southerly from the existing northerly right-of-way line.

(Based on sec. 2, Ord. 68-69)

- 6 8-82.54 Meekland Avenue. From East Lewelling Boulevard to San Lorenzo Creek, thirty-two (32) feet as measured from and on each side of the existing centerline.

(Based on sec. 1, Ord. 68-76)

- 6 8-82.55 San Carlos Avenue. From Park Way to Stanton Avenue, five feet (5') as measured south from the existing southerly right-of-way line.

(Based on sec. 1, Ord. 70-24)

- 6 8-82.56 "A" Street. From the City of Hayward boundary at Ruby Street northeasterly to Grove way, a maximum of ninety-three (93) feet on the northwesterly side and forty-seven (47) feet on the southeasterly side from the existing right-of-way lines, as shown on the map labelled "A Street Future Width Lines, Exhibit A, August 2, 1971", on file with the Alameda County Planning Commission, 399 Elmhurst Street, Hayward, California.

(Based on sec. 1, Ord. 71-80)

- 6 8-82.57 Redwood Road. From Grove Way north to Vegas Avenue thirty (30) feet east of the existing easterly right-of-way line.

From Vegas Avenue North to Pine Street, a maximum of thirty-seven (37) feet on either side of the existing right-of-way as shown on the map labelled "Redwood Road Future Width Lines, Exhibit A, August 2, 1971", on file with the Alameda County Planning Commission, 399 Elmhurst Street, Hayward, California.

From Pine Street north to Castro Valley Boulevard, thirty-seven (37) feet west and fourteen (14) feet east of the existing right-of-way lines.

(Based on sec. 1 , Ord. 71-80)

Special Building Lines

6	8-84.0	<u>Purpose.</u>
6	8-84.1	<u>"A" Street.</u>
6	8-84.2	<u>"A" Street.</u>
6	8-84.3	<u>Anita Avenue.</u>
6	8-84.38	<u>Arroyo Road.</u>
6	8-84.4	<u>Ashland Avenue.</u>
6	8-84.5	<u>Ashland Avenue.</u>
6	8-84.6	<u>Ashland Avenue.</u>
6	8-84.7	<u>Bernal Avenue.</u>
6	8-84.8	<u>Black Avenue.</u>
6	8-84.9	<u>Bond Street.</u>
6	8-84.98	<u>Byron-Bethany Road.</u>
6	8-84.10	<u>Calaveras Road.</u>
6	8-84.11	<u>Castlewood Drive.</u>
6	8-84.12	<u>Castro Valley Boulevard.</u>
6	8-84.13	<u>Center Street.</u>
6	8-84.14	<u>Center Street.</u>
6	8-84.15	<u>Crow Canyon Road.</u>
6	8-84.16	<u>Cull Canyon Road.</u>
6	8-84.17	<u>Dougherty Road.</u>
6	8-84.18	<u>Dublin Boulevard.</u>
6	8-84.19	<u>Dunn Road.</u>
6	8-84.20	<u>East Lewelling Boulevard.</u>
6	8-84.21	<u>East Lewelling Boulevard.</u>
6	8-84.22	<u>East Stanley Boulevard.</u>
6	8-84.23	<u>Eden Avenue.</u>
6	8-84.24	<u>Eden Canyon Road.</u>
6	8-84.25	<u>Foothill Road.</u>
6	8-84.26	<u>Foothill Road.</u>
6	8-84.27	<u>Garin Avenue.</u>
6	8-84.28	<u>Grant Avenue.</u>
6	8-84.29	<u>Grant Avenue.</u>
6	8-84.30	<u>Grant Avenue.</u>
6	8-84.304	<u>Grant Line Road.</u>
6	8-84.31	<u>Greenville Road.</u>
6	8-84.32	<u>Grove Way.</u>
6	8-84.33	<u>Hampton Road.</u>
6	8-84.34	<u>Haviland Avenue.</u>
6	8-84.35	<u>Hesperian Boulevard.</u>
6	8-84.36	<u>Hopyard Road.</u>
6	8-84.37	<u>Jensen Road.</u>
6	8-84.38	<u>Junction Avenue.</u>

6	8-84.39	<u>Kilkare Road.</u>
6	8-84.40	<u>Lake Chabot Road.</u>
6	8-84.41	<u>Lake Chabot Road.</u>
6	8-84.42	<u>Laurel Avenue.</u>
6	8-84.43	<u>Lewelling Boulevard.</u>
6	8-84.44	<u>Lorenzo Avenue.</u>
6	8-84.45	<u>Los Banos Street.</u>
6	8-84.46	<u>Marcella Street.</u>
6	8-84.47	<u>Martin Avenue.</u>
6	8-84.48	<u>Mateo Street.</u>
6	8-84.49	<u>Mattox Road.</u>
6	8-84.50	<u>Mattox Road.</u>
6	8-84.51	<u>Maubert Avenue.</u>
6	8-84.52	<u>Medford Avenue.</u>
6	8-84.53	<u>Meekland Avenue.</u>
6	8-84.54	<u>Middle Lane.</u>
6	8-84.55	<u>Mono Avenue.</u>
6	8-84.56	<u>Norris Canyon Road.</u>
6	8-84.57	<u>162nd Avenue.</u>
6	8-84.58	<u>166th Avenue.</u>
6	8-84.59	<u>168th Avenue.</u>
6	8-84.60	<u>Pacific Street.</u>
6	8-84.61	<u>Pinehurst Road.</u>
6	8-84.62	<u>Poplar Avenue.</u>
6	8-84.63	<u>Princeton Street.</u>
6	8-84.64	<u>Redwood Road.</u>
6	8-84.67	<u>Redwood Road.</u>
6	8-84.68	<u>Redwood Road.</u>
6	8-84.69	<u>Redwood Road.</u>
6	8-84.70	<u>Redwood Road.</u>
6	8-84.71	<u>Regent Way.</u>
6	8-84.72	<u>Ruus Road.</u>
6	8-84.73	<u>Ruus Road.</u>
6	8-84.74	<u>Saklan Road.</u>
6	8-84.75	<u>Santa Maria Avenue.</u>
6	8-84.76	<u>Santa Rita Road.</u>
6	8-84.77	<u>Santa Rita Road.</u>
6	8-84.78	<u>Smalley Avenue.</u>
6	8-84.79	<u>Somerset Avenue.</u>
6	8-84.80	<u>South Livermore Avenue.</u>
6	8-84.81	<u>South Vasco Road.</u>
6	8-84.82	<u>Stanley Boulevard.</u>
6	8-84.83	<u>Stanley Boulevard.</u>
6	8-84.84	<u>Stanton Avenue.</u>
6	8-84.85	<u>Sunnyslope Avenue.</u>
6	8-84.86	<u>Tanager Avenue.</u>
6	8-84.87	<u>Tassajara Road.</u>

6	8-84.877	<u>Taylor Avenue.</u>
6	8-84.88	<u>Tesla Road.</u>
6	8-84.89	<u>Tesla Road.</u>
6	8-85.0	<u>Vallecitos Road.</u>
6	8-85.1	<u>Vallejo Street.</u>
6	8-85.2	<u>Valley Avenue.</u>
6	8-85.3	<u>Vasco Road.</u>
6	8-85.4	<u>Vineyard Avenue.</u>
6	8-85.5	<u>West "A" Street.</u>
6	8-85.7	<u>Industrial Parkway West.</u>
6	8-85.8	<u>West Street.</u>
6	8-85.9	<u>West Winton Avenue.</u>
6	8-85.10	<u>West Winton Avenue.</u>
6	8-85.11	<u>Western Boulevard.</u>
6	8-85.12	<u>Western Boulevard.</u>
6	8-85.13	<u>Willow Avenue.</u>
6	8-85.14	<u>San Miguel Avenue.</u>
6	8-85.16	<u>Grove Way.</u>
6	8-85.17	<u>First Street.</u>
6	8-85.18	<u>Portola Avenue.</u>
6	8-85.19	<u>East Avenue.</u>
6	8-85.20	<u>North Livermore Avenue.</u>
6	8-85.21	<u>Las Positas Road.</u>
6	8-85.22	<u>Dublin Boulevard.</u>
6	8-85.23	<u>Redwood Road.</u>
6	8-85.24	<u>Hesperian Boulevard.</u>
6	8-85.25	<u>Hesperian Boulevard.</u>
6	8-85.26	<u>Hesperian Boulevard.</u>
6	8-85.27	<u>Lake Chabot Road.</u>
6	8-85.28	<u>Lake Chabot Road.</u>
6	8-85.29	<u>Lake Chabot Road.</u>
6	8-85.30	<u>Lake Chabot Road.</u>
6	8-85.31	<u>Grove Way, Eden Township.</u>
6	8-85.32	<u>Stanton Avenue, Eden Township.</u>
6	8-85.33	<u>Seven Hills Road, Eden Township.</u>
6	8-85.34	<u>Seven Hills Road, Eden Township.</u>
6	8-85.35	<u>Grove Way, Eden Township.</u>
6	8-85.36	<u>Center Street, Eden Township.</u>
6	8-85.37	<u>Heyer Avenue, Eden Township.</u>
6	8-85.38	<u>Maud Avenue.</u>
6	8-85.39	<u>Kelly Street.</u>
6	8-85.40	<u>Fairview Avenue.</u>
6	8-85.41	<u>"D" Street.</u>
6	8-85.42	<u>Clawiter Road.</u>
6	8-85.43	<u>Pleasanton-Sunol Road.</u>
6	8-85.43	<u>Hopyard Road.</u>
6	8-85.44	<u>Junction Avenue.</u>
6	8-85.45	<u>Tassajara Road.</u>
6	8-85.47	<u>Wente Street.</u>
6	8-85.48	<u>Mohr Drive.</u>
6	8-85.49	<u>North Lane.</u>
6	8-85.50	<u>Meekland Avenue.</u>
6	8-85.51	<u>San Carlos Avenue.</u>

Special Building Lines

- 6 8-84.0 Purpose. For the purpose of measuring yard dimensions and determining building lines as provided in this chapter there are the special building lines enumerated in this article.

(Based on 1st para., sec. 28, Ord. 420.)

- 6 8-84.1 "A" Street. Northerly side, from the Southern Pacific Company right-of-way easterly to a point on the boundary line of the City of Hayward approximately 145 feet easterly of Princeton Street, excluding those portions lying within the City of Hayward, sixty-six (66) feet as measured from the existing centerline.

(Based on sec. 2, Ord. 532 N.S.)

- 6 8-84.2 "A" Street. From the City Limits of Hayward easterly to Knox Street, sixty feet (60') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 554 N.S.)

- 6 8-84.3 Anita Avenue. From Castro Valley Boulevard to Somerset Avenue, forty-five feet (45') as measured from and on each side of the existing centerline.

(Based on sec 2., Ord. 577 N.S.)

- 6 8-84.38 Arroyo Road. From the existing Livermore City Boundary south to Wetmore Road sixty-four (64) feet as measured from and on each side of existing centerline.

(Based on sec. 2, Ord. 67-53)

- 6 8-84.4 Ashland Avenue. From Delano Street to East 14th Street, fifty-seven (57) feet measured westerly from the existing centerline, and sixty-three (63) feet as measured easterly from the existing centerline.

(Based on sec. 3, Ord. 291 N.S.; amended by sec. 7, Ord. 70-34)

- 6 8-84.5 Ashland Avenue. From East Lewelling Boulevard to the Western Pacific Railroad Company right-of-way, sixty feet (60') measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 433 N.S.)

- 6 8-84.6 Ashland Avenue. From the Western Pacific Railroad Company right-of-way to Delano Street, sixty-four feet (64') as measured westerly from the existing centerline, and fifty-six feet (56') as measured easterly from the existing centerline.

(Based om sec. 3, Ord. 291 N.S.)

- 6 8-84.7 Bernal Avenue. From Foothill Road to the City Limits of Pleasanton, seventy feet (70') as measured from and on each side of the existing centerline.
- (Based on sec. 3, Ord. 172 N.S.)
- 6 8-84.8 Black Avenue. From Hopyard Road to Santa Rita Road, seventy feet (70') as measured from and on each side of the existing centerline.
- (Based on sec. 3, Ord. 172 N.S.; repealed by sec. 1, Ord. 70-34)
- 6 8-84.9 Bond Street. From Foothill Road to Main Street, fifty feet (50') as measured from and on each side of the existing centerline.
- (Based on sec. 3, Ord. 172 N.S.)
- 6 8-84.98 Byron-Bethany Road. On the southwesterly side, 70 feet westerly from the existing westerly right-of-way line, from the Contra Costa County Line to the San Joaquin County Line.
- (Based on sec. 3, Ord. 67-42)
- 6 8-84.10 Calaveras Road. From Mission Road to the county line dividing Alameda County and Santa Clara County, fifty feet (50') as measured from and on each side of the existing centerline.
- (Based on sec. 3, Ord. 172 N.S.)
- 6 8-84.11 Castlewood Drive. From Foothill Road to Pleasanton-Sunol Road, seventy feet (70') as measured from and on each side of the existing centerline.
- (Based on sec. 3, Ord. 172 N.S.)
- 6 8-84.12 Castro Valley Boulevard. From Foothill Boulevard to Strobridge Avenue, twenty feet (20') as measured from and on each side of the right-of-way.

From Strobridge Avenue to a point approximately 250 feet westerly of the westerly right-of-way line of Nunes Avenue, five feet (5') as measured southerly from the southerly right-of-way line of said road.

From a point five feet (5') southerly of the southerly right-of-way line of said road and approximately 250 feet westerly of the westerly right-of-way line of Nunes Avenue to a point twenty feet (20') southerly of the southerly right-of-way line of said road and approximately 100 feet westerly of the westerly right-of-way line of Nunes Avenue, setback as measured from the southerly right-of-way line of said road to a line drawn between the two described points.

From a point 100 feet westerly of the westerly right-of-way line of Nunes Avenue to Chester Street, twenty feet (20') as measured southerly from the southerly right-of-way line of said road.

From Chester Road to Redwood Road, five feet (5') as measured southerly from the southerly right-of-way line of said road.

From Redwood Road to the centerline of Cull Creek, also known as Crow Creek and North Fork of San Lorenzo Creek, twenty feet (20') as measured from and on each side of the right-of-way.

From Strobbridge Avenue to Stanton Avenue, five feet (5') as measured northerly from the northerly right-of-way line of said road.

From Park Way to Redwood Road, five feet (5') as measured northerly from the northerly right-of-way line of said road.

(Based on sec. 1, Ord. 258 N.S.; amended by sec. 8, Ord. 70-34; repealed by sec. 1, Ord. 74-93)

- 6 8-84.13 Center Street. From Castro Valley Boulevard to James Avenue, 50 feet from and on each side of the existing centerline.

(Based on sec. 3, Ord. 493 N.S.)

- 6 8-84.14 Center Street. From the boundary line of the City of Hayward to Grove Way, sixty feet (60') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 414 N.S.)

- 6 8-84.15 Crow Canyon Road. From State Highway 50 to the county line dividing Alameda County and Contra Costa County, one hundred feet (100') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 295 N.S.)

- 6 8-84.16 Cull Canyon Road. From Crow Canyon Road to the north-westerly terminus eighty-three feet (83') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 295 N.S.)

- 6 8-84.17 Dougherty Road. From Sierra Lane north to the County Line dividing Alameda County and Contra Costa County, seventy feet (70') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 172 N.S.; amended by sec. 1, Ord. 73-3)

- 6 8-84.18 Dublin Boulevard. From Silvergate Drive easterly to Village Parkway seventy feet (70') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 172 N.S.; amended by sec. 10, Ord. 70-34)

- 6 8-84.19 Dunn Road. From Clawiter Road westerly to the Southern Pacific Railroad right-of-way, fifty (50) feet as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 544 N.S.)

- 6 8-84.20 East Lewelling Boulevard. From the Southern Pacific Company right-of-way to the Western Pacific Railroad Company right-of-way, twenty feet (20') from and in addition to those future width lines hereinabove established.

(Based on sec. 2, Ord. 426 N.S.)

- 6 8-84.21 East Lewelling Boulevard. From the Western Pacific Railroad Company right-of-way to the easterly line of Mission Boulevard, sixty feet (60') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 291 N.S.)

- 6 8-84.22 East Stanley Boulevard. From Isabel Avenue to the City of Livermore boundary line, eighty-three feet (83') as measured southeasterly from the existing centerline and fifty-three feet (53') as measured northwesterly from the existing centerline.

(Based on sec. 3, Ord. 376 N.S.; repealed by sec. 1, Ord. 70-34)

- 6 8-84.23 Eden Avenue. From West Street northerly to an angle point approximately six hundred (600) feet north of Middle Lane, fifty-four (54) feet as measured from and on each side of the existing centerline, and from said angle point northerly to North Lane, fifty-one and one-half (51.5) feet as measured westerly from the existing centerline.

(Based on sec. 2, Ord. 613 N.S.; Amended by sec. 3, Ord. 68-69)

- 6 8-84.24 Eden Canyon Road. From State Highway 50 to the northeasterly terminus, eighty feet (80') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 295 N.S.)

- 6 8-84.25 Foothill Road. From State Highway 50 to Verona Road, seventy feet (70') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 172 N.S.)

- 6 8-84.26 Foothill Road. From Verona Road to Kilcare Road, fifty feet (50') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 172 N.S.)

- 6 8-84.27 Garin Avenue. From the easterly boundary line of the City of Hayward to its easterly terminus, fifty-four feet (54') as measured from and on each side of the existing centerline.
- (Based on sec. 2, Ord. 544 N.S.)
- 6 8-84.28 Grant Avenue. From Via Alamitos to Lorenzo Avenue, twenty feet (20') as measured northwesterly from the existing northwesterly right-of-way line and one hundred and six feet (106') as measured southeasterly from the existing northwesterly right-of-way line.
- (Based on sec. 3, Ord. 299 N.S.)
- 6 8-84.29 Grant Avenue. From Lorenzo Avenue to Channel Street, twenty feet (20') as measured northwesterly from the existing northwesterly right-of-way line and ninety-eight feet (98') as measured southeasterly from the existing northwesterly right-of-way line.
- (Based on sec. 3, Ord. 299 N.S.)
- 6 8-84.30 Grant Avenue. From the Southern Pacific Company Railroad southwesterly to the end of County Road, sixty-seven feet (67') as measured northwesterly from the existing centerline and fifty-nine feet (59') as measured southeasterly from the existing centerline.
- (Based on sec. 3, Ord. 299 N.S.)
- 6 8-84.304 Grant Line Road. From the existing northerly right-of-way boundary of Interstate Route 580 north and east to the Alameda County - San Joaquin County Boundary seventy-five (75) feet as measured from and on each side of existing centerline.
- (Based on sec. 2, Ord. 67-40)
- 6 8-84.31 Greenville Road. From Tesla Road northerly to a point approximately 900 feet southerly of the Western Pacific Railroad Company right-of-way, seventy feet (70') as measured from and on each side of the existing centerline.
- (Based on sec. 2, Ord. 603 N.S.)
- 6 8-84.32 Grove Way. From the City of Hayward to a point approximately 120 feet northeasterly of Oak Street, fifty feet (50') as measured from and on each side of the existing centerline.
- (Based on sec. 3, Ord. 291 N.S.)
- 6 8-84.33 Hampton Road. From Meekland Avenue to Mission Boulevard, fifty feet (50') as measured from and on each side of the existing centerline.
- (Based on sec. 3, Ord. 291 N.S.)
- 6 8-84.34 Haviland Avenue. From Medford Avenue to Willow Avenue, fifty feet (50') as measured from and on each side of the existing centerline.
- (Based on sec. 3, Ord. 291 N.S.)

- 6 8-84.35 Hesperian Boulevard. From Smith Street northerly to Arf Avenue, 100 feet as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 192 N.S.; repealed by sec. 1, Ord. 71-93)

- 6 8-84.36 Hopyard Road. From State Highway 50 to the boundary line of the City of Pleasanton, seventy feet (70') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 172 N.S.; repealed by sec. 1, Ord. 70-34)

- 6 8-84.37 Jensen Road. From State Highway 50 to the northeasterly terminus, sixty feet (60') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 295 N.S.)

- 6 8-84.38 Junction Avenue. From U. S. 50 southeasterly to Portola Avenue, seventy feet (70') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 658 NS.; renumbered by sec. 2, Ord. 70-34)

- 6 8-84.39 Kilkare Road. From Foothill Road to the northwesterly terminus, forty-five feet (45') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 172 N.S.)

- 6 8-84.40 Lake Chabot Road. From the most westerly corner of Tract 1674 to a point approximately 3,700 feet northwesterly therefrom, seventy-six feet (76') as measured northeasterly and fifty feet (50') as measured southwesterly from the centerline of the existing sixty (60) foot right-of-way.

(Based on sec. 3, Ord. 240 N.S.)

- 6 8-84.41 Lake Chabot Road. From a point approximately 3,700 feet northwesterly of the most westerly corner of Tract 1674 to the boundary of the City of San Leandro, seventy-six (76) feet as measured southwesterly and fifty (50) feet as measured northeasterly from the centerline of the existing sixty (60) foot right-of-way.

(Based on sec. 3, Ord. 240 N.S.; amended by sec. 10, Ord. 70-34)

- 6 8-84.42 Laurel Avenue. From Meekland Avenue to the City of Hayward boundary line, fifty feet (50') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 291 N.S.)

- 9 8-84.43 Lewelling Boulevard. From the Nimitz Freeway to the Southern Pacific Company right-of-way, twenty feet (20') from and in addition to those future width lines hereinabove established.

(Based on sec. 2, Ord. 426 N.S.)

- 6 8-84.44 Lorenzo Avenue. From Grant Avenue to its northerly terminus, forty-five feet (45') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 167 N.S.)

- 6 8-84.45 Los Banos Street. From 165th Avenue to 169th Avenue, fifty feet (50') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 291 N.S.)

- 6 8-84.46 Marcella Street. From Mono Avenue to 162nd Avenue, fifty feet (50') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 291 N.S.)

- 6 8-84.47 Martin Avenue. From Mohr Avenue to the northerly terminus fifty feet (50') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 172 N.S.)

- 6 8-84.48 Mateo Street. From Mono Avenue to 162nd Avenue, fifty feet (50') as measured from and on the existing centerline.

(Based on sec. 3, Ord. 291 N.S.)

- 6 8-84.49 Mattox Road. From East 14th Street to Foothill Boulevard, fifty feet (50') as measured from and on the existing centerline.

(Based on sec. 3, Ord. 291 N.S.)

- 6 8-84.50 Mattox Road. Southeasterly side, from Foothill Boulevard, to Oak Street, fifty feet (50') as measured southeasterly from the existing centerline.

(Based on sec. 3, Ord. 291 N.S.)

- 6 8-84.51 Maubert Avenue. From Tanager Avenue to 163rd Avenue, fifty feet (50') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 291 N.S. and Sec. 3, Ord. 554 N.S.)

- 6 8-84.52 Medford Avenue. From Meekland Avenue to Mission Boulevard, fifty feet (50') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 291 N.S.)

- 6 8-84.53 Meekland Avenue. From San Lorenzo Creek to "A" Street, fifty-four feet (54') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 291 N.S.)

- 6 8-84.54 Middle Lane. From Clawiter Road easterly to Saklan Road, fifty (50) feet as measured northerly from the existing centerline, and fifty-eight (58) feet as measured southerly from the existing centerline, and from Saklan Road easterly to Eden Avenue fifty-eight (58) feet as measured northerly from the existing centerline, and fifty (50) feet as measured southerly from the existing centerline.

(Based on sec. 2, Ord. 544 N.S.; Amended by sec. 3, Ord. 68-69)

- 6 8-84.55 Mono Avenue. From Maubert Avenue to Mateo Street, fifty feet (50') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 291 N.S.)

- 6 8-84.56 Norris Canyon Road. From Crow Canyon Road to the Alameda-Contra Costa County Line, eighty-three feet (83') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 295 N.S.)

- 6 8-84.57 162nd Avenue. From East 14th Street to Foothill Boulevard, fifty feet (50') as measured from and on the existing centerline.

(Based on sec. 3, Ord. 291 N.S. and sec. 3, Ord. 517 N.S.)

- 6 8-84.58 166th Avenue. From East 14th Street to Los Banos Street, fifty feet (50') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 291 N.S.)

- 6 8-84.59 168th Avenue. From East 14th Street to Los Banos Street, fifty feet (50') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 291 N.S.)

- 6 8-84.60 Pacific Street. From Industrial Parkway West to the boundary line of the City of Hayward, fifty-four (54) feet as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 298 N.S.)

- 6 8-84.61 Pinehurst Road. From Redwood Road to the Alameda-Contra Costa County line, eighty-three feet (83') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 295 N.S.)

- 6 8-84.62 Poplar Avenue. From Meekland Avenue to Princeton Street, fifty feet (50') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 291 N.S.)

- 6 8-84.63 Princeton Street. From Willow Avenue to "A" Street, fifty feet (50') as measured from and on the existing centerline.

(Based on sec. 3, Ord. 291 N.S.)

- 6 8-84.64 Redwood Road. From Knox Street to Grove Way, sixty feet (60') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 554 N.S.)

- 6 8-84.67 Redwood Road. From Castro Valley Boulevard to a point 500 feet northerly of Proctor Road sixty (60) feet as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 381 N.S.; amended by sec. 11, Ord. 70-34)

- 6 8-84.68 Redwood Road. From the centerline of Somerset Street (formerly William Street), approximately 206 feet northerly of the centerline of Berdina Avenue, to the centerline of Mabel Street approximately 590 feet southerly of the centerline of Hoyer Avenue. The Westerly Special Building Line shall be established twenty feet (20') westerly from the westerly future width line hereinabove established. The Easterly Special Building Line shall be established 100 feet easterly from the westerly future width line hereinabove established.

(Based on sec. 2, Ord. 381 N.S.; repealed by sec. 1, Ord. 70-34)

- 6 8-84.69 Redwood Road. From the centerline of Mabel Street approximately 590 feet southerly of the centerline of Heyer Avenue to a point 500 feet northerly of Parsons Road sixty feet (60') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 381 N.S.; repealed by sec. 1, Ord. 70-34)

- 6 8-84.70 Redwood Road. From a point 500 feet northerly of Parsons Road, northwesterly to the boundary line of the City of Oakland, eighty-three feet (83') from and on each side of the existing centerline.

(Based on sec. 3, Ord. 295 N.S.)

- 6 8-84.71 Regent Way. From Ehle Street to John Street, forty-five feet (45') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 388 N.S.)

- 6 8-84.72 Ruus Road. From Tennyson Road to Folsom Avenue, excluding that portion lying within the City of Hayward, fifty feet (50') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 500 N.S.)

- 6 8-84.73 Ruus Road. From Folsom Avenue to Industrial Parkway West, excluding that portion lying within the City of Hayward, fifty-four feet (54') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 500 N.S.)

- 6 8-84.74 Saklan Road. From North Lane southerly to West Street, fifty (50) feet as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 633 N.S.; Amended by sec. 3, Ord. 68-69)

- 6 8-84.75 Santa Maria Avenue. From Castro Valley Boulevard to Somerset Avenue, 48' from and on either side of the existing centerline.

(Based on sec. 2, Ord. 957 N.S.)

- 6 8-84.76 Santa Rita Road. From Valley Avenue north to its intersection with Tassajara Road eighty-four (84) feet as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 172 N.S.; Amended by sec. 3, Ord. 67-2; repealed by sec. 1, Ord. 70-34)

- 6 8-84.77 Santa Rita Road. From State Highway 50 to the angle point approximately 3,500 feet northerly of Mohr Avenue, eighty-seven feet (87') as measured westerly from the existing centerline and fifty-three feet (53') as measured easterly from the existing centerline.

(Based on sec. 3, Ord. 172 N.S.)

- 6 8-84.78 Smalley Avenue. From Meekland Avenue to the City of Hayward boundary line, fifty feet (50') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 291 N.S.)

- 6 8-84.79 Somerset Avenue. From 168th Avenue to Redwood Road, fifty feet (50') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 521 N.S.)

- 6 8-84.80 South Livermore Avenue. From the boundary line of the City of Livermore to Tesla Road, seventy feet (70') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 444 N.S.)

- 6 8-84.81 South Vasco Road. From East Avenue to Tesla Road, sixty-three feet (63') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 682 N.S.)

- 6 8-84.82 Stanley Boulevard. From the boundary line of the City of Pleasanton to the Southern Pacific Railroad Company right-of-way, sixty feet (60') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 172 N.S.)

- 6 8-84.83 Stanley Boulevard. From the Southern Pacific Railroad Company right-of-way to Isabel Avenue, eighty-three feet (83') measured southeasterly from the existing centerline and fifty-three feet (53') measured northwesterly from the existing centerline.

(Based on sec. 3, Ord. 172 N.S. and sec. 2, Ord. 376 N.S.)

- 6 8-84.84 Stanton Avenue. From Castro Valley Boulevard to Somerset Avenue, fifty-four feet (54') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 364 N.S.)

- 6 8-84.85 Sunnyslope Avenue. From State Highway 50 to the northeasterly terminus, sixty feet (60') from and on each side of the existing centerline.

(Based on sec. 3, Ord. 295 N.S.)

- 6 8-84.86 Tanager Avenue. From Liberty Street to Maubert Avenue, fifty feet (50') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 291 N.S.)

- 6 8-84.87 Tassajara Road. From State Highway 50 to the Alameda Contra Costa County Line, seventy feet (70') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 172 N.S.)

- 6 8-84.877 Taylor Avenue. From Industrial Parkway West northerly to Folsom Avenue Fifty-four (54) feet as measured from and on each side of existing centerline.

(Based on sec. 2, Ord. 67-80)

- 6 8-84.88 Tesla Road. From South Livermore Avenue to South Vasco Road, seventy feet (70') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 444 N.S.)

- 6 8-84.89 Tesla Road. From South Vasco Road to Greenville Road, sixty feet (60') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 444 N.S.)

- 6 8-85.0 Vallecitos Road. Commencing from a point on the southern boundary of the Bernal portion of the Rancho el Valle de San Jose at the corner common to Plots 37 and 38 of said Rancho, in an easterly direction a distance of approximately 7,391', 200 feet as measured northerly from and perpendicular to the existing centerline.

(Based on sec. 3, Ord. 172 N.S.)

- 6 8-85.1 Vallejo Street. From Sunset Boulevard to the northerly terminus, fifty feet (50') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 507 N.S.)

- 6 8-85.2 Valley Avenue. From Santa Rita Road to Hopyard Road, sixty feet (60') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 355 N.S.; repealed by sec. 1, Ord. 70-34)

- 6 8-85.3 Vasco Road. From State Highway 50 to Preston Avenue, sixty-three feet as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 160 N.S.)

- 6 8-85.4 Vineyard Avenue. From the City of Pleasanton boundary line to the Pleasanton-Murray Township Line, sixty-three feet (63') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 172 N.S.)

- 6 8-85.5 West "A" Street. From the Southern Pacific Company right-of-way westerly to Hesperian Boulevard, excluding those portions lying within the City of Hayward, sixty-six (66) feet measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 532 N.S.)

- 6 8-85.7 Industrial Parkway West. From Niles-Alvarado Road to State Highway 9 (Hayward-Niles Road), 100 feet as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 192 N.S.)

- 6 8-85.8 West Street. From Clawiter Road easterly to Eden Avenue, eighty-eight (88) feet as measured northerly from the existing southerly right-of-way line, and from Eden Avenue easterly to Mohr Drive, eighty-eight (88) feet as measured southerly from the existing northerly right-of-way line.

(Based on sec. 2, Ord. 613 N.S.; Amended by sec. 3, Ord. 68-69)

- 6 8-85.9 West Winton Avenue. From Hesperian Boulevard westerly to its westerly terminus, excluding that portion lying within the City of Hayward, seventy feet (70') as measured on each side of the existing centerline.

(Based on sec. 3, Ord. 342 N.S.)

- 6 8-85.10 West Winton Avenue. From the boundary line of the City of Hayward easterly to the Southern Pacific Company right-of-way sixty-six feet (66') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 267 N.S.)

- 6 8-85.11 Western Boulevard. Southwesterly side, from Hampton Road to the City of Hayward boundary line, sixty-four feet (64') as measured southwesterly from the existing northeasterly right-of-way line.

(Based on sec. 3, Ord. 291 N.S.)

- 6 8-85.12 Western Boulevard. Northeasterly side, from Hampton Road to the City of Hayward boundary line, sixty-four feet (64') as measured northeasterly from the existing southwesterly right-of-way line.

(Based on sec. 3, Ord. 291 N.S.)

- 6 8-85.13 Willow Avenue. From Meekland Avenue to Western Boulevard, fifty feet (50') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 291 N.S.)

- 6 8-85.14 San Miguel Avenue. From Castro Valley Boulevard to Somerset Avenue 50 feet from and on each side of the existing centerline.

(Based on sec. 2, Ord. 745 N.S.)

- 6 8-85.16 Grove Way. From Redwood Road easterly to Center Street, 60 feet as measured on each side of the existing centerline.

(Based on sec. 2, Ord. 343 N.S.)

- 6 8-85.17 First Street. From Highway 50 southerly to Livermore City limits, 70 feet as measured from and on each side of the centerline.

(Based on sec. 3, Ord. 736 N.S.)

- 6 8-85.18 Portola Avenue. From Junction Avenue to First Street, 70 feet as measured from and on each side of the centerline.

(Based on sec. 3, Ord. 736 N.S.)

- 6 8-85.19 East Avenue. From Livermore City limits to Greenville Road, 64 feet from and on each side of the existing centerline.

(Based on sec. 2, Ord. 963 N.S.)

- 6 8-85.20 North Livermore Avenue. From Portola Avenue, northerly to Manning Road, sixty feet (60') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 697 N.S.)

- 6 8-85.21 Las Positas Road. From North Livermore Avenue, easterly to First Street, fifty feet (50') as measured from and on each side of the existing centerline.

(Based on sec. 2, Ord. 697 N.S.)

- 6 8-85.22 Dublin Boulevard. From Village Parkway easterly to Clydesdale Road, one hundred and three feet (103') northerly of the existing southerly right-of-way line and thirty-seven feet (37') southerly of the existing southerly right-of-way line.

(Based on sec. 2, Ord. 598 N.S.; amended by sec. 12, Ord. 70-34)

- 6 8-85.23 Redwood Road. From Interstate 580 (U.S. 50) to Castro Valley Boulevard, 30 feet as measured westerly from the existing right-of-way line; for Redwood Road from Grove Way to Interstate Route 580 (U.S.50), 30 feet as measured easterly from the existing right-of-way line.

(Based on sec. 2, Ord. 905 N.S.)

- 6 8-85.24 Hesperian Boulevard. From Hacienda Avenue to West "A" Street, easterly side, 20 feet measured easterly from the Future Width Line described in Sec. 8-82.39.

(Based on sec. 2, Ord. 525 N.S.; repealed by sec.1, Ord. 71-93)

- 6 8-85.25 Hesperian Boulevard. Southwesterly side, from the southeasterly boundary of Tract 691 approximately 615 feet southeasterly of Via Mercado to Hacienda Avenue, thirty feet (30') as measured southwesterly from existing southwesterly right-of-way line.

(Based on sec. 3, Ord. 289 N.S.; repealed by sec. 1, Ord. 71-93)

- 6 8-85.26 Hesperian Boulevard. Westerly side, from the State Freeway sixty-three feet (63') northwesterly from and parallel to the existing centerline of Hesperian Boulevard to an intersection with a line twenty feet (20') southwesterly from and parallel to the direct production northwesterly of the northeasterly boundary line of Block 1, Tract 689, along the last said parallel line southeasterly to the northwesterly line of Lot 1 in said Block and Tract.

(Based on sec. 3, Ord. 289 N.S.; repealed by sec. 1, Ord. 71-93)

- 6 8-85.27 Lake Chabot Road. From Castro Valley Boulevard northerly to the northwesterly line of Lot 1 of Block 6 of said Tract 1674, twenty (20) feet from and on each side of the existing right-of-way lines.

(Based on sec. 3, Ord. 313 N.S.; amended by sec. 13, Ord. 70-34)

- 6 8-85.28 Lake Chabot Road. From Castro Valley Boulevard northerly to a point three hundred and seven feet (307') more or less, northerly from the existing centerline of Keith Avenue, one hundred and six feet (106') as measured westerly from the easterly Future Width Line of Lake Chabot Road.

(Based on sec. 3, Ord. 313 N.S.; repealed by sec. 1, Ord. 70-34)

- 6 8-85.29 Lake Chabot Road. From a point three hundred and seven feet (307') more or less, northerly from the existing centerline of Keith Avenue to a point one hundred and ninety-one feet (191') northerly therefrom, seventy feet (70') as measured westerly from the existing centerline of Lake Chabot Road.

(Based on sec. 3, Ord. 313 N.S.; repealed by sec. 1, Ord. 70-34)

- 6 8-85.30 Lake Chabot Road. From a point four hundred and ninety-eight feet (498') more or less, northerly from the existing centerline of Keith Avenue, northerly to the projected northwesterly line of Lot 1 in Block 6 of said Tract 1674, one hundred and six feet (106') as measured westerly from the easterly Future Width Line of Lake Chabot Road.

(Based on sec. 3, Ord. 313 N.S.; repealed by sec. 1, Ord. 70-34)

- 6 8-85.31 Grove Way, Eden Township. Twenty (20) foot setback from Grove Way, Eden Township, between Center Street and East Castro Valley Boulevard.

(Based on Ord. 420; amended by sec. 19, Ord. 567; amended in part by sec. 3, Ord. 554 N.S. and sec. 2, Ord. 905 N.S.)

- 6 8-85.32 Stanton Avenue, Eden Township. Twenty (20) foot setback from Stanton Avenue, Eden Township, between Crest Avenue and Somerset Avenue.

(Based on Ord. 420; amended by sec. 19, Ord. 567; amended in part by sec. 3, Ord. 364 N.S.)

- 6 8-85.33 Seven Hills Road, Eden Township. Twenty (20) foot setback from that portion of Seven Hills Road, Eden Township, between Lake Chabot Road and Redwood Road.

(Based on Ord. 420; amended by sec. 19, Ord. 567)

- 6 8-85.34 Seven Hills Road, Eden Township. Twenty (20) foot setback from that portion of Seven Hills Road, Eden Township, between Brickel Way and the Castro Valley Creek.

(Based on Ord. 420; Amended by sec. 19, Ord. 567.)

- 6 8-85.35 Grove Way, Eden Township. Twenty (20) foot setback from Grove Way, Eden Township, between the City of Hayward and Redwood Road.

(Based on Ord. 420; Amended by sec. 19, Ord. 567.)

- 6 8-85.36 Center Street, Eden Township. Twenty (20) foot setback from Center Street, Eden Township, between its northerly terminus and James Street.

(Based on Ord. 420; Amended by sec. 19, Ord. 567; Amended in part by sec. 3, Ord. 493 N.S.)

- 6 8-85.37 Heyer Avenue, Eden Township. Twenty (20) foot setback from Heyer Avenue, Eden Township, between Center Street and Redwood Road.

(Based on Ord. 420; Amended by sec. 19, Ord. 567.)

- 6 8-85.38 Maud Avenue. From Kelly Street to "D" Street, sixty (60) feet from and on each side of the existing centerline.

(Based on sec. 1, Ord. 1018 N.S.)

- 6 8-85.39 Kelly Street. From where City Limit of Hayward crosses Kelly Street to Maud Avenue, fifty-four (54) feet from and on each side of the existing centerline.

(Based on sec. 1, Ord. 1018 N.S.)

- 6 8-85.40 Fairview Avenue. From "D" Street to Hayward Boulevard, sixty (60) feet from and on each side of existing centerline.

(Based on sec. 1, Ord. 1018 N.S.)

- 6 8-85.41 "D" Street. From where City Limit of Hayward crosses "D" Street to Fairview Avenue, sixty (60) feet on each side of existing centerline.

(Based on sec. 1, Ord. 1018 N.S.)

- 6 8-85.42 Clawiter Road. From West Winton Avenue southerly to a point 850 feet north of the centerline of Depot Road, sixty-six (66) feet as measured from and on each side of the existing centerline.

From a point 850 feet north of the centerline of Depot Road southerly to the boundary line of the City of Hayward, fifty-four (54) feet as measured from and on each side of the existing centerline.

(Based on Ord. 434 N.S.)

- 6 8-85.43 Pleasanton-Sunol Road. From Verona Road to the boundary line of the City of Pleasanton, seventy (70) feet as measured from and on each side of the existing centerline.

(Based on Ord. 172 N.S.; repealed by sec. 1, Ord. 70-34)

- 6 8-85.43 Hopyard Road. From the existing southerly right-of-way line of Interstate 580 to the center line of the Arroyo Mocho Canal 77' as measured easterly from the existing easterly right-of-way line of Hopyard Road.

(Based on sec. 2, Ord. 67-16)

- 6 8-85.44 Junction Avenue. From U.S. 50 southeasterly to Portola Avenue, seventy feet (70') as measured from and on each side of the existing centerline.

(Based on sec. 3, Ord. 658 N.S.; renumbered by sec. 2, Ord. 70-34)

- 6 8-85.45 Tassajara Road. From its intersection with Santa Rita Road northeasterly approximately three hundred (300) feet to the Pleasanton City boundary eighty-four (84) feet as measured from and on each side of existing centerline.

(Based on sec. 4, Ord. 67-2; renumbered by sec. 2, Ord. 70-34)

- 6 8-85.47 Wente Street. From South Livermore Avenue south to Marina Avenue sixty-four (64) feet as measured from and on each side of existing centerline.

(Based on sec. 2, Ord. 67-53)

- 6 8-85.48 Mohr Drive. From Denton Avenue southerly to West Street, forty-eight (48) feet as measured from and on each side of the existing centerline, and from West Street southerly to Depot Road, fifty-four (54) feet as measured from and on each side of the existing centerline.

(Based on sec. 4, Ord. 68-69)

- 6 8-85.49 North Lane. From Saklan Road easterly to Eden Avenue, fifty-four (54) feet as measured southerly from the existing centerline.

(Based on sec. 4, Ord. 68-69)

- 6 8-85.50 Meekland Avenue. From East Lewelling Boulevard to San Lorenzo Creek, fifty-two (52) feet as measured from and on each side of the existing centerline.

(Based on sec. 1, Ord. 68-76)

- 6 8-85.51 San Carlos Avenue. From Park Way to Stanton Avenue, seven and one-half feet ($7\frac{1}{2}'$) south of the existing southerly right-of-way line and seven and one-half feet ($7\frac{1}{2}'$) north of the existing northerly right-of-way line.

(Based on sec. 1, Ord. 70-24)

Article 8

Procedures

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ARTICLE 8

Procedures

- 6 8-90.0 ZONING APPROVAL. The Term "Zoning Approval" or "Approved as to Zoning" refers to and means an official notation by the Planning Director or his authorized representative upon a building permit, occupancy permit, or license, or upon a written request certifying that the Use, Building, or Structure specified thereon is in conformance with the regulations and provisions of this Chapter. Zoning Approval shall be obtained for every new use of land, new building or structure that exercises a Variance, Conditional Use, Cluster Permit, Residential Planned Development District, Quarry, or Site Development Review. The Zoning Approval shall include reference to any limitations in conditions to which the approval is subject. Any application for a permit or license may be referred to the Planning Department for a report as to conformity with the regulations and provisions of this Chapter.

(Amended by sec. 37, Ord. 70-57)

- 6 8-90.2 ZONING APPROVAL: LAPSE. A zoning approval shall lapse and become void whenever the permit or license upon which it is given either lapses or is revoked. A zoning approval authorized for a Variance or from a Conditional Use shall lapse and become void if not exercised within one (1) year, unless otherwise specified in the authorizing action.

- 6 8-90.3 ZONING APPROVAL, PERMITS REVOCABLE. Whenever zoning approval is found to have been obtained by fraud or to have been issued illegally or in error, it shall be revoked. Whenever a Use covered by zoning approval or by any previously issued Variance, Conditional Use Permit or Site Development Review is found to be exercised unlawfully or contrary to any condition or limitation of its issuance or to be so exercised as to constitute a nuisance or to be detrimental to the public health or safety, the Building Official shall report the matter to the Zoning Administrator. After a hearing conducted pursuant to Section 8-101.0 the Zoning Administrator may revoke any such zoning approval or any Variance, Conditional Use Permit or Site Development Review unless the exercise thereof has been so altered as to eliminate cause for revocation. Upon any such revocation, Section 8-106.3 shall control.

(Amended by sec. 1, Ord. 69-98; amended by sec. 38, Ord. 70-57)

- 6 8-90.4 ZONING APPROVAL: NOT APPLICABLE TO QUARRIES. The use of any land for the operation or maintenance of a quarry or a sand and gravel pit shall be governed by the provisions of Part II of this Chapter, and the issuance of a permit by the Board of Supervisors, pursuant to the said Part II shall be required for every such use in lieu of the procedure set forth in this Chapter for other uses of land.
- 6 8-91.0 USES NOT LISTED: PROCEDURE. Whenever there is doubt as to the District classification of a Use not listed in any part of this Chapter, the Planning Department may refer the matter to the Planning Commission for action pursuant to Section 8-91.1. The referral shall include a detailed description of the proposed use.
- 6 8-91.1 USES NOT LISTED: ACTION. Upon referral as provided in Section 8-91.0, the Planning Commission shall consider the District classification of a Use not listed in any part of this Chapter, and shall make such investigations as are necessary to compare the nature and characteristics of the Use in question with those of the listed uses in the various Districts. If the Use is found to be, in all essentials pertinent to the intent of this Chapter, of the same character as a permitted use in any District or Districts, or of the same character as a conditional use in any District or Districts, the Commission shall so determine and the order shall be final, unless a notice of appeal is filed pursuant to Section 8-102.0 within ten (10) days after the date of such an order. The person requesting the determination shall be notified forthwith and the final determination shall become a permanent public record.
- 6 8-92.0 ADMINISTRATION OR ENFORCEMENT: APPEALS. Upon written application setting forth the grounds for appeal, the Planning Commission shall have jurisdiction to hear and decide appeals alleging error in any order, requirement, permit, revocation, decision or determination made by any official of the County, other than a member of the Planning Commission, or Board of Supervisors in the administration or enforcement of Planning Commission rules, or of the precise plans or zoning regulations of the County; provided, however, that all appeals from decisions of the Zoning Administrator which are required to be made following noticed public hearing and those appeals from the decision of the Planning Director on a Site Development Review which also requires affirmative action on a Variance in order to be implemented shall be governed by the procedure contained in Section 8-102.0. The order deciding such appeal shall become effective ten (10) days after the date of such order unless notice of appeal is filed pursuant to Section 8-102.0 within said period of ten (10) days.

(Amended by sec. 39, Ord. 70-57; amended by sec. 15, Ord. 71-41; amended by sec. 2, Ord. 71-51)

6 8-93.0 VARIANCES. Upon application in proper form pursuant to Sections 8-100.0 and 8-100.2 and subject to the procedure governing Variances set forth herein, the strict terms of Part 1 of this Chapter, except as to regulations relating to Principal Uses, may be varied in specific cases upon affirmative findings of fact upon each of these three requirements:

- a) That there are special circumstances including size, shape, topography, location or surroundings, applicable to the property which deprive the property of privileges enjoyed by other property in the vicinity under the identical zoning classification;
- b) That the granting of the application will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone;
- c) That the granting of the application will not be detrimental to persons or property in the neighborhood or to the public welfare.

6 8-93.1 VARIANCES: PROCEDURE. The Zoning Administrator shall receive, hear and take action upon each application for a Variance. Notice of the hearing shall be given pursuant to Section 8-101.0.

(Amended by sec. 40, Ord. 70-57)

6 8-93.2 VARIANCES: ACTION. After the conclusion of the hearing on the application for a Variance, it may be granted, in whole or in part, and subject to such conditions, limitations and guarantees as may be specified pursuant to Section 8-93.3, if from the information presented with the application and at the hearing it is found that the circumstances are as specified in Section 8-93.0, and otherwise the application shall be denied.

6 8-93.3 VARIANCES: CONDITIONS. In granting a Variance, the character and extent thereof shall be specified and the variance shall be made subject to such conditions and guarantees as are deemed necessary to secure conformance to the requirements set forth in Section 8-93.0. A Variance may be made valid only for a specified term. If any portion of a Variance is utilized, all of its conditions and specifications shall be operative, and the violation of any of them shall constitute a violation of this Chapter.

6 8-93.4 VARIANCES: EFFECTIVE DATE. The order granting a Variance, or denying the same, shall become effective ten (10) days after the date of such order, unless a notice of appeal is filed pursuant to Section 8-102.0 of this Chapter.

6 8-94.0 CONDITIONAL USES. Certain Uses, referred to in this Chapter as Conditional Uses, are hereby declared to possess characteristics which require special review and appraisal in each instance, in order to determine whether or not the use (1) is required by the public need, (2) whether the use will be properly related to other land Uses and transportation and service facilities in the vicinity, (3) whether or

not the use if permitted will, under all the circumstances and conditions of the particular case, materially affect adversely the health or safety of persons residing or working in the vicinity, or be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood, and, (4) whether or not the use will be contrary to the specific intent clauses or performance standards established for the District, in which it is to be located. A Use in any District which is listed, explicitly or by reference, as a Conditional Use in the Districts regulations, or in Section 8-55.0 or 8-61.0 shall be approved or disapproved as to zoning only upon filing an application in proper form and in accordance with the procedure governing such uses set forth hereinafter.

6 8-94.1 CONDITIONAL USES: ACTION. The Zoning Administrator shall receive, hear and decide applications for a Conditional Use Permit and after the conclusion of the hearing may authorize approval as to zoning of the proposed use if the evidence contained in or accompanying the application or presented at the hearing is deemed sufficient to establish that, under all circumstances and conditions of the particular case, the use is properly located in all respects as specified in Section 8-94.0, and otherwise it shall disapprove the same. In each case, notice of the hearing shall be given pursuant to Section 8-101.0.
(Amended by sec. 41, Ord. 70-57)

6 8-94.2 CONDITIONAL USES: CHANGES AND RENEVALS. The Zoning Administrator shall receive, hear and decide applications to renew or extend the term of a Conditional Use or to modify or waive any condition previously imposed upon a Conditional Use, or upon a Use Permit issued prior to the effective date of this ordinance. Every such application shall be subject to the same procedure and regulations as set forth herein for a Conditional Use.
(Amended by sec. 42, Ord. 70-57)

6 8-94.3 CONDITIONAL USES: COMBINED APPLICATIONS. If the proposed Conditional Use is one listed in the District regulations as subject to site development review, procedure upon the application shall be subject to the additional requirements of Section 8-95.0 of this Chapter. No. separate application for Site Development Review is required in such cases, but disapproval of either shall constitute disapproval of the application. Where the proposed Conditional Use Permit is accompanied by a concurrent application for a Variance pursuant to Section 8-93.1 the Zoning Administrator shall act separately on each.

(Amended by sec. 43, Ord. 70-57)

6 8-94.4 CONDITIONS. The approval of a Conditional Use Permit may be valid only for a specified term, and may be made contingent upon the acceptance and observance of specified conditions, including but not limited to the following matters:

- a) Substantial conformity to approved plans and drawings;
- b) Limitations on time of day for the conduct of specified activities;
- c) Time period within which the approval shall be exercised and the proposed use brought into existence, failing which the approval shall lapse and be void;
- d) Guarantees as to compliance with the terms of the approval, including the posting of bond;
- e) Compliance with requirements or other departments of the County Government.

- 6 8-94.5 PRIOR USES. A lawfully existing use in any District which is or becomes as a result of any subsequent amendment of these regulations or of the District boundaries, classified as a Conditional Use shall be deemed to be an approved Conditional Use without further action, and may continue, subject to any previously imposed conditions, as long as the Use and Building remain the same.
- 6 8-94.6 CONDITIONAL USES: EFFECTIVE DATE. The order authorizing approval of a Conditional Use or disapproving the same, shall become effective ten (10) days after the date of such order unless a notice of appeal is filed pursuant to Section 8-102.0 of this Chapter.
- 6 8-94.7 CONDITIONAL USES: VIOLATION. Once a Conditional Use is established all of the conditions specified in the Permit's approval shall become operative and the violation of any of them shall constitute a violation of this Chapter.
- 6 8-95.0 SITE DEVELOPMENT REVIEW. Site Development Review is intended to promote orderly, attractive and harmonious development including the land uses, circulation and parking and the stability of land values and investments and the general welfare by preventing the establishment of Uses or the erection of Structures having qualities which are not properly related to their sites, surroundings and traffic circulation both on-site and in the vicinity of which would not meet the specific intent clauses or performance standard requirements of this Chapter. Where the use proposed, the adjacent land uses, topography or traffic circulation is found to so require, the Planning Director may establish higher standards than those otherwise required for the District.

(Amended by sec. 44, Ord. 70-57)

- 6 8-95.1 SITE DEVELOPMENT REVIEW: PROCEDURE. The Planning Director shall receive and decide applications for Site Development Review. No public hearing is required, except in the case of a concurrent application for a Variance, or in the case of a Conditional Use.

(Amended by sec. 45, Ord. 70-57)

- 6 8-95.2 SITE DEVELOPMENT REVIEW: APPLICATIONS. Every application for Site Development Review shall be in proper form as provided in Section 8-100.0 and shall be accompanied by a site plan prepared by a licensed civil engineer, land surveyor, architect, landscape architect or a registered building designer, provided however, that the boundary and topographic survey on the site plan shall be prepared by a licensed civil engineer or land surveyor whose seal shall appear on said site plan, drawn to scale and indicating clearly and with full dimensions the following information:

- a) Parcel dimensions in distance and bearings;
- b) Existing and proposed buildings and structures--their location, size, height and use;
- c) Dimensions of Yards and open spaces between Buildings;

- d) Fences and walls -- their location, height and materials;
- e) Parking spaces -- their location, number, dimensions and internal circulation;
- f) Access -- vehicular, pedestrian and service, with points of ingress and egress, internal circulation, design, and improvements;
- g) Street dedications and improvements -- existing, and proposed, if any;
- h) Such other data as may be required under the circumstances of the case to permit the Planning Director to make the required findings.

Where the proposed use includes any Main Building other than Dwellings, or any commercial or industrial use, the plan shall also show;

- i) Signs--their location, size, height and types of materials, and lighting;
- j) Loading spaces -- their location, number, dimensions, and internal circulation;
- k) Lighting -- its location and general nature.

(Amended by sec. 12, Ord. 68-27; amended by sec. 46, Ord. 70-57)

6 8-95.3 SITE DEVELOPMENT REVIEW: INVESTIGATION. The Planning Director, upon receipt of an application for Site Development Review, shall make such investigations as are necessary to determine whether or not the proposed Use or Structure conforms or may be conditioned to conform fully to the regulations for the District as herein set forth. The Planning Director may request reports and recommendations from the County Surveyor, Building Official and Health Officer, Public Works Department, other offices of the County of Alameda, or any other interested public agencies regarding matters within their jurisdiction which may be affected by the proposed use or structure.

(Amended by sec. 47, Ord. 70-57)

6 8-95.4 SAME. If, in the opinion of the Planning Director, the proposed use may cause the emission of dangerous or objectionable noise, odors, lights, dust, smoke or vibrations, the Planning Director with the consent of the applicant, may refer the application for investigation and report to one or more expert consultants qualified to advise as to whether a proposed use will conform to the applicable performance standards. Such consultant or consultants shall report in writing to the Planning Director and a copy of such report shall be furnished to the applicant. The applicant shall be required to pay the fee for service of said consultant(s).

(Amended by sec. 48, Ord. 70-57)

6 8-95.5 SITE DEVELOPMENT REVIEW: ACTION. At the conclusion of such investigation, the Planning Director shall determine from the reports and data submitted whether the Use and Structures will meet the requirements and intent of this Chapter, and upon making an affirmative finding, shall approve said application. If from the information submitted, the Planning Director finds that compliance with the requirements on this Chapter and the intent set forth herein would not be secure, they shall disapprove or approve subject to such specified conditions, changes, or additions as will assure compliance.

(Amended by sec. 49, Ord. 70-57)

- 6 8-95.6 SITE DEVELOPMENT REVIEW: EFFECTIVE DATE. The order approving or disapproving a Site Development Review shall become effective ten (10) days after the date of such action, unless a written appeal is filed pursuant to and in compliance with Section 8-92.0.
(Amended by sec. 3, Ord. 71-51)
- 6 8-95.7 SITE DEVELOPMENT REVIEW: CONFORMITY REQUIRED. Wherever a plan for the development of a Building Site has been the subject of Site Development Review as hereinabove specified and has been given final approval the use of the Building Site thereafter shall be subject to compliance with the plan in conformance to all details specified thereon and subject to all the conditions set forth in the action of approval.
- 6 8-95.8 SITE DEVELOPMENT REVIEW: PLAN MODIFICATIONS. The Planning Director shall hear and decide applications to modify any Plan approved under the procedure for Site Development Review, or to modify any condition set forth in the action of approval, subject to the same procedure and regulations as those applicable to the original application.

(Amended by sec. 50, Ord. 70-57)
- 6 8-96.0 SINGLE FAMILY RESIDENCE: CLUSTER PERMIT. A Single Family Residence Cluster development is intended to encourage the arrangement of single family residences on suitable lands in such manner that will:
- a) be in accord with the General Plan of the County of Alameda;
 - b) provide efficient use of the land that includes preservation of significant amounts of open areas and natural and topographic landscape features;
 - c) provide an environment that will encourage the use of common open areas for community activities and other amenities;
 - d) provide variety in the siting of residences and the design of access and circulation facilities;
 - e) be compatible with and enhance the development of the general area.
- 6 8-96.1 CLUSTER PERMIT. A cluster development of single family residences is permitted only in "R-1" (Single Family Residence) Districts, and "R-1" Combining Districts upon issuance of a Cluster Permit in accordance with the provisions of this Chapter.
- 6 8-96.2 PRELIMINARY CLUSTER DEVELOPMENT PLAN: APPLICATION. Any land owner desiring a Cluster Permit shall submit to the Planning Commission a Preliminary Cluster Development Plan.
- 6 8-96.3 PRELIMINARY PLAN--PROFESSIONAL SERVICES REQUIRED. The Preliminary Plan shall contain certifications that a civil engineer, a landscape architect and an architect or registered building designer have participated in the preparation of the Preliminary Plan.

(Amended by sec. 13, Ord. 68-27)
- 6 8-96.4 PRELIMINARY PLAN: INFORMATION REQUIRED. The Preliminary Plan shall be submitted to the Planning Commission in the form specified.

§ 8-96.5 PRELIMINARY PLAN - ACTION BY THE PLANNING COMMISSION. After consideration of the Preliminary Plan and any other pertinent information, the Planning Commission shall advise the applicant of its evaluation of the Plan. This evaluation shall include a statement regarding whether the Preliminary Plan appears either to meet or not to meet the intent of the provisions of this Chapter and may include a statement regarding:

- a) Development objectives pertinent to the characteristics of the site in question which should be observed in the design of the Cluster Development including:
 - 1) Preservation of specified natural and topographic landscape features,
 - 2) Type and extent of circulation facilities,
 - 3) Nature and extent of grading,
- b) Basic design changes which appear necessary in order to meet said intent which may include reduction of Dwelling Unit density and modifications in the location of Buildings, roads and common areas.

§ 8-96.6 CLUSTER PERMIT - APPLICATION. An application for a Cluster Permit shall be submitted to the Planning Commission in the form specified by the Planning Commission.

§ 8-96.7 CLUSTER PERMIT PLAN - PERSONS AUTHORIZED TO PREPARE. Same as Section 8-96.3.

§ 8-96.8 CLUSTER PERMIT PLAN. The Cluster Permit Plan shall be based on the above Preliminary Plan and shall be in the form specified by the Planning Commission.

§ 8-96.9 CLUSTER PERMIT PLAN - HEARING BY THE PLANNING COMMISSION. Upon receipt of the application for a Cluster Permit, the Planning Commission shall hold a public hearing thereon and shall give notice of hearing by publication in a newspaper of general circulation in the County and posting in conspicuous places close to the property at least ten (10) days prior to the date of such hearing.

§ 8-96.10 CLUSTER PERMIT PLAN - FINDINGS AND ACTION BY THE PLANNING COMMISSION. The Planning Commission shall consider the intent and standards of the District and of this Article and if the Cluster Permit Plan is found to be in compliance with these provisions, may issue a Cluster Permit which shall set forth the conditions of approval the Planning Commission deems necessary to assure the affirmative findings. If the Cluster Permit Plan is found not to be in compliance, or cannot be conditioned to comply with the intent and standards of the District and of this Article, the Planning Commission shall deny the application. An order authorizing approval of a Cluster Permit or disapproving the same, shall become effective ten (10) days after the date of such an order, unless a notice of appeal is filed pursuant to Section 8-102.0.

6
8-96.11 CLUSTER PERMIT - TIME LIMIT. Within two years of the date of approval of a Cluster Permit a final subdivision map in accordance with the provisions of the approved Permit shall be recorded. Failure to file a final Subdivision Map within this period shall render said Permit null and void.

6
8-96.12 CLUSTER PERMIT - BUILDING PERMITS TO CONFORM. All Building Permits issued within the boundaries of an approved Cluster Development shall conform to the provisions of the approved Cluster Permit until such time as said Cluster Permit expires or the property owner has filed with the Planning Commission notification in writing of his intent to abandon this permit which notification shall render said permit null and void.

6
8-96.13 CLUSTER PERMIT - OTHER EXPIRATION. In addition to these provisions relating to Cluster Permit expiration in Sections 8-96.11 and 8-96.12 a Cluster Permit expiration in Sections 8-96.11 and 8-96.12, a Cluster Permit shall be null and void if a Tentative Subdivision Map is approved that is not in conformance with the provisions of the Cluster Permit.

6
8-96.14 APPLICABILITY - CHAPTER. Cluster Developments shall be in accord with all provisions of this Chapter, except where provisions of Sections 8-96.0 through 8-97.7 inclusive are applicable.

6
8-96.15 MINIMUM PROJECT AREA. The Cluster development shall consist of a Lot or contiguous Lots under one ownership or control containing a Project Acreage of at least 10 acres or having a potential of at least fifty (50) dwelling units as determined by the provisions of Section 8-96.16. Project acreage shall include only those lands to be used for Lots, lands to be owned in common by the residents of the project and lands used for circulation facilities.

6
8-96.16 DENSITY. The maximum number of residential units shall be calculated in accordance with the provision of this Section.

ZONING DISTRICT		MAXIMUM UNITS PER PROJECT ACRE
R-1	(5,000)	5.5
R-1-B-1	(8,000)	4.2
R-1-B-2	(10,000)	3.5
R-1-B-3	(20,000)	2.0
R-1-B-4	(43,560)	1.0
R-1-B-5	(Specified Lot size less than one acre).	Determined in direct proportion by interpolation of those ratios expressed.
R-1-B-5	(Specified Lot size over one acre).	Determined in direct proportion by the existing zoning.

8-96.17 PERIPHERAL SETBACKS. No Dwelling Unit shall be located less than twenty (20) feet from any boundary of the Cluster Development.

8-96.18 YARDS. Except as provided in Sections 8-96.17 and 8-96.20 and in lieu of Yards required by other provisions of this Chapter, the following minimum yards are required for each Building Site:

- a) All Yards adjoining a Building wall not exceeding one story in height - five (5) feet;
- b) All Yards adjoining a Building wall two stories in height - ten (10) feet;
- c) In addition to those Yards required by the foregoing provisions of this section, Yards adjoining a Street shall be increased:

five (5) feet from a limited access Street (Less than 300 vehicular trips per day);

ten (10) feet from a minor residential Street (300 - 600 vehicular trips per day);

twenty (20) feet from a neighborhood collector Street (600 - 2,000 vehicular trips per day);

thirty (30) feet from a major thoroughfare (over 2,000 vehicular trips per day).

8-96.19 STANDARDS - PRIVATE OPEN AREA. Each Building Site shall have a private open area. The private open area shall contain at least five hundred (500) square feet of Useable Open Space and measure not less than twenty (20) feet in width or depth and shall easily be accessible from the dwelling units. The required private open area shall not include a required Yard adjoining a Street, off-street parking spaces or vehicular access thereto.

8-96.20 MODIFICATION OF BUILDING SITE REQUIREMENTS. In the interest of design flexibility and to provide variety in housing types and site development, certain reductions in the Building Site requirements for the District and the requirements of Section 8-96.18 may be permitted, or higher standards required. However, the Building Site area may not be reduced to less than that required for the District except for Building Sites adjacent to common areas of substantial size which Building Sites may be reduced to an area of not less than five thousand (5,000) square feet and a width of not less than fifty (50) feet. Any modification of minimum standards must be found by the Planning Commission to be in best interest of the residents of the development. An approved reduction in the minimum standards must be found to be not detrimental either to the residents within the project or the uses adjoining the project. When reductions in minimum standards are requested by the applicant, the request shall be accompanied by evidence furnished by the projects architect or landscape architect which illustrate that the Cluster Plan which includes a modification of standards permit the following Objectives to be met as well as or better than employment of minimum standards otherwise required.

8-97.0 CLUSTER PLAN BUILDING SITE OBJECTIVES:

- a) **Area:** To achieve an equitable distribution of private useable open space and common open space while maintaining the over-all densities proposed by the General Plan;
- b) **Effective Lot Frontage** - to assure permanent access of a width providing safe and efficient vehicle movement to a maintained Street;
- c) **Median Lot Width** - to provide adequate space to accommodate a dwelling of reasonable design with the required Yards and open areas;
- d) **Yards** - to provide insulation from off-site activities and to provide natural light and ventilation, privacy, and convenient access to and around each Building and visually pleasing spatial relationship between adjoining Buildings;
- e) **Yards Adjacent to Streets** - to provide varied visual relationship between Streets, and dwellings and provide protection from traffic conflicts, noise, congestion and property damage;
- f) **Provide Open Areas** - to provide useable and attractive areas for outdoor living.

8-97.1 COMMON AREAS - PROVISION AND DESIGN.

- a) All lands not utilized for Building Sites, and public uses shall be owned in common in accordance with the provisions of Section 8-97.2;
- b) A minimum of five hundred (500) square feet per Dwelling Unit (exclusive of private streets) of the common areas provided shall:
 - 1) not exceed a maximum gradient of ten per cent (10%);
 - 2) Be assembled in minimum areas measuring not less than ten thousand (10,000) square feet, not less than one hundred (100) feet in width or depth;
- c) All portions of the common areas used for active recreation areas shall be located not less than fifty (50) feet from any dwelling unit.

8-97.2 COMMON AREAS - PRESERVATION AND MAINTENANCE. Ownership and maintenance of all areas owned in common shall be by an automatic membership homes association being an incorporated non-profit organization capable of dissolution only by a one hundred percent (100%) affirmative vote of the membership, operating under recorded land agreements through which each Lot owner in a Cluster Development is automatically a member, and each lot is automatically subject to a charge for a proportionate share of expenses for maintaining the common property and other facilities owned by the organization. The association shall be authorized to impose a lien on any Lot for which required maintenance charges have not been paid. Maintenance of areas owned in common shall include the prevention of health and safety hazards.

8-97.3 VEHICULAR AND PEDESTRIAN ACCESS AND CIRCULATION. Vehicular and pedestrian access and circulation shall be adequate for anticipated traffic volumes. Adequate access shall be provided to all structures within the development, and provision shall be made for future development of adjacent, undeveloped acreage. Design and improvement of Streets shall conform with applicable County standards. All Streets shall be offered for dedication to the County of Alameda. Private streets, the design and improvement of which have been approved by the Planning Commission, may be permitted provided they are Limited Access Streets as defined by Section 8-96.18; do not serve through traffic and will be perpetually maintained by the homeowners association.

8-97.4 ARRANGEMENT OF BUILDINGS AND FACILITIES. All of the elements of the Cluster Development shall be harmoniously and efficiently organized in relation to topography, the size and shape of the plot, the character of adjoining property, and the type and size of the buildings.

8-97.5 PLANTING AND FENCING. The appeal and character of the site shall be preserved or enhanced by retaining and protecting existing trees and other site features to the extent that they enhance the project and additional new plant material shall be added for privacy, shade, and to screen out objectionable features. Where needed for protection or screening purposes, appropriately designed fences, walls or planting shall be installed along property boundary lines, laundry yards, refuse collection points, playgrounds and other locations.

8-97.6 GRADING. Grading shall be designed to assure stable ground forms, adequate surface drainage, safe and convenient access to and around the Buildings and to conserve desirable existing vegetation and natural ground forms. Any unusual hazard to pedestrians created by slopes or sudden grade changes shall be minimized by the installation of fences, walls, rails or planting.

8-97.7 DRAINAGE. Installation of adequate facilities for the Collection and disposal of storm waters shall be provided to prevent damage to property and to provide for the safety and convenience of occupants.

8-100.0 APPLICATIONS: PETITIONS AND APPEALS: FORM AND SCOPE. The Planning Director shall prescribe the form and scope of all petitions, applications and appeals and shall also specify the accompanying data to be furnished so as to assure the fullest practicable presentation of facts for proper consideration of the matter involved in each case and for a permanent record, and the following regulations shall apply.

(Amended by sec. 51, Ord. 70-57)

8-100.1 APPLICATIONS: WHERE FILED. Every application for a Variance, for a Conditional Use, Site Development Review, or for a Cluster Permit shall be filed with the Planning Department.

(Amended by sec. 52, Ord. 70-57)

6 8-100.2 APPLICATIONS: ACCEPTANCE. Every application filed and accepted pursuant to Section 8-100.1 shall be complete, legible and on a prescribed form, and shall include a verification by at least one owner of the property affected attesting to the truth and correctness of all the facts and drawings presented under penalty of perjury.

6 8-100.3 APPLICATIONS: FEES. No application required by this Title shall be considered to be in proper form unless it is accompanied by a fee as established by Resolution by the Board of Supervisors, nor shall any application be accepted which is not in full compliance with all other requirements of this Title. No part of any required fee shall be returned to the applicant, and every such fee shall be deposited with the County Treasurer.

(Amended by sec. 2, Ord. 74-16)

6 8-100.4 APPLICATIONS: FEE SCHEDULE. Except as otherwise provided in Section 8-100.5, the amount of the filing fee shall be as specified herein for the respective types of application:

For a Variance \$15.00;
For a Conditional Use. \$25.00;
except for a Mobilehome Park or a
Recreational Vehicle Park. \$25.00;
plus \$1 for each Mobilehome or
Recreational Vehicle Site;
For Site Development Review. \$25.00;
For a Cluster Permit Preliminary Plan. \$25.00;
For a Cluster Permit \$50.00
plus \$1 for each dwelling unit.

(Amended by sec. 4, Ord. 69-93; amended by sec. 1, Ord. 70-54; repealed by sec. 1, Ord. 74-16)

6 8-100.5 APPLICATIONS: EXECTIONS TO REQUIREMENT OF FEE. The fee required to accompany any application as specified in Section 8-100.4 shall be waived in the following cases:

- (a) Where the application is made and filed by any public agency of a city, county, State or Federal Government;
- (b) Where the application is for Variance to permit a Building to be relocated on the same lot, if such relocation is necessary solely because of the condemnation of a portion thereof for a public purpose or the sale of such portion of a public agency of the county, State or Federal Government;
- (c) Where the application is for a Site Development Review for signs as provided in Section 8-22.12.4, 8-46.7.1, 8-48.8.2, 8-48.8.3, and 8-48.8.4.

(Amended by sec. 16, Ord. 71-41; amended by sec. 2, Ord. 74-16; amended by sec. 3, Ord. 75-29)

6 8-100.6 APPLICATIONS: EFFECT OF DENIAL. No application for a Variance, a Conditional Use or a Site Development Review which has been denied wholly or in part shall be re-submitted, within one (1) year from the date of the final order of denial, except on grounds of new evidence or proof of changed conditions found to be valid by the officer or public body which issued such final order.

(Amended by sec. 53, Ord. 70-57)

- 6 8-101.0 HEARINGS: NOTICE. Upon receipt in proper form of any application for a Variance, for a Conditional Use, for a Cluster Permit, or a Cluster Permit Preliminary Plan, or for a determination relative to whether a Use is nonconforming or for a determination as to whether a Use is illegal or should be abated by the Building Official, the date for the public hearing thereon shall be set. At least one (1) public hearing shall be held on each such application, by the agency designated to receive it. Notice of the time and place of each such hearing by publication in a newspaper of general circulation in the County, and by posting notice thereof in conspicuous places close to the property affected for at least ten (10) days prior to the date thereof. The notice to be posted shall be in substantial compliance with the contents of the notice published in the newspaper of general circulation. The applicant, and the appellant in the case of an appeal, shall be notified in writing of the time and place of any such hearing. Any failure to post public notice shall not invalidate the proceedings. Where the hearing is on a proposed amendment, Sections 8-103.3 and 8-103.4 shall control.

(Amended by sec. 54, Ord. 70-57)

- 6 8-101.1 HEARINGS: CONTINUANCE. At any public hearing, the presiding officer may order the hearing to be continued by publicly announcing the time and place of a continuance and no further notice thereof shall be required.

- 6 8-102.0 APPEALS. An appeal may be taken to the Board of Supervisors within ten (10) days after the date of any order made by the Planning Commission, the Planning Director or the Zoning Administrator pursuant to Sections 8-31.18, 8-90.3, 8-91.1, 8-92.0, 8-93.2, 8-94.1, or 8-96.10. The appeal may be taken by any property owner or other person aggrieved or by an officer, department, board or commission affected by the order within said ten (10) day period, by filing with the Clerk of the Board of Supervisors of a notice of appeal specifying the grounds for such appeal. Filing such notice shall stay all proceedings in furtherance of the order appealed from.

(Amended by sec. 1, Ord. 69-110; amended by sec. 55, Ord. 70-57; amended by sec. 17, Ord. 71-41; amended by sec. 4, Ord. 71-51)

- 6 8-102.1 APPEALS: TRANSMITTAL OF RECORD. The Clerk of the Board of Supervisors shall indicate upon every notice of appeal received pursuant to Section 8-102.0 the date upon which it was filed, and shall forthwith transmit a copy thereof to the Planning Department. The Planning Department shall immediately make available to the Board all of the documents constituting the record upon which the action appealed was taken.

(Amended by sec. 56, Ord. 70-57)

- 6 8-102.2 APPEALS: REPRESENTATION. The Planning Department shall be represented at the hearing on the appeal, in order to make known the reasons for the action taken.

(Amended by sec. 57, Ord. 70-57)

- 6 8-102.3 APPEALS: NOTICE OF HEARING. The Board of Supervisors shall give written notice of the time and place for hearing any appeal filed pursuant to Section 8-102.0. Such notice may be published and shall be given to the applicant, to the appellant, to the agency which made the order appealed, and to any other person requesting such notice and depositing with the Clerk of the Board a self-addressed, stamped envelope to be used for that purpose.

- 9 8-102.4 BOARD OF SUPERVISORS: ACTION ON APPEALS. The Board of Supervisors may hear additional evidence and may sustain, modify or overrule any order brought before it on appeal pursuant to Section 8-102.0, and may make such findings and decisions as are not inconsistent with State law and County ordinances; provided that, if no motion relative to the order appealed attains a majority vote of the Board of Supervisors within thirty (30) days from the date of the hearing by said Board thereon said Order shall stand sustained and be final.
(Amended by sec. 59, Ord. 70-57)
- 9 8-103.0 AMENDMENTS. When the Board of Supervisors deems it to be for the public interest, this Chapter may be amended by reclassifying property or by changing any of its provisions. The procedure shall be as set forth in the following sections.
- 9 8-103.1 AMENDMENTS; INITIATION OF. An amendment may be initiated by resolution of the Board of Supervisors or of the Planning Commission. In the case of a proposed reclassification of property, amendment also may be initiated by a petition. When such amendment is initiated by petition, the petition shall be signed and verified by the owner of the property affected by the proposed change.
(Amended by sec. 2, Ord. 74-16)
- 9 8-103.2 AMENDMENTS: CONTENT OF PETITION. Every petition to reclassify property shall be upon a form prescribed for that purpose by the Planning Commission and shall be accompanied by such information, maps and other data as the Commission may by its rules require.
- 9 8-103.3 AMENDMENTS: NOTICE OF HEARING. Upon passage of a resolution as specified in Section 8-103.1 or upon receipt in proper form of a petition to reclassify property, the proposal shall be set for public hearing before the Planning Commission as required by State law. Such notice of the time and place of the hearing as is required by the Government Code of the State shall be given by the Commission. The notice shall make known the nature and extent of the proposed amendment.
- 9 8-103.4 AMENDMENTS: ADDITIONAL NOTICE. If the proposed amendment is to reclassify property from any District to any other District, the Planning Commission shall give additional notice of the time and place of hearing by posting public notices not less than ten (10) days prior to the date of the first of such hearings. The notices shall be placed not more than five hundred (500) feet apart along each and every street upon which the property proposed to be reclassified abuts and shall extend along said street or streets a distance of not less than three hundred (300) feet for the exterior limits of the property or properties proposed for reclassification.
(Amendment by Sec. 1, Ord. 69-98)

- 6 8-103.5 FAILURE TO POST NOTICES. Any failure to post public notices shall not invalidate any proceedings for an amendment of this Chapter.
- 6 8-103.6 AMENDMENTS: PLANNING COMMISSION ACTION. After the conclusion of hearings on any proposed amendment, the Planning Commission shall make a report of its findings and recommendations and reasons with respect to the same, and shall file with the Board of Supervisors an attested copy thereof within thirty (30) days after the date of the conclusion of the hearing.
- 6 8-103.7 AMENDMENTS: BOARD OF SUPERVISORS ACTION. Upon receipt of a report from the Planning Commission, or upon the expiration of thirty (30) days after the conclusion of the hearing by the Planning Commission on any amendment initiated by petition or by resolution of the Board of Supervisors, the Board of Supervisors shall set the matter for public hearing, after notice thereof, given as provided by law. After the conclusion of such hearing, the Board of Supervisors may adopt the amendment of any part thereof set forth in the petition or in the resolution of intention in such form as the Board may deem to be advisable.
- 6 8-103.8 SAME: FAILURE TO ACT. When the report of the Planning Commission pursuant to Section 8-103.7 contains a recommendation that a proposed amendment be disapproved and no motion relative thereto attains a majority vote of the Board of Supervisors within thirty (30) days from the date of the hearing thereon, such failure to act shall constitute disapproval of the proposed amendment.

Article 9

Enforcement

6	8-105.0	<u>Permits shall conform.</u>
6	8-106.0	<u>Duty of Planning Commission.</u>
6	8-106.1	<u>Duty of the planning department.</u>
6	8-106.2	<u>Duty of County officers.</u>
6	8-106.3	<u>Duty of District Attorney.</u>
6	8-107.0	<u>Violation a misdemeanor.</u>
6	8-107.1	<u>Penalty.</u>
6	8-107.2	<u>Remedies are cumulative.</u>
6	8-107.3	<u>Severability clause.</u>
6	8-108.0	<u>Repealing.</u>

ARTICLE 9

Enforcement

- 6 8-105.0 PERMITS SHALL CONFORM. Every Department and every employee of the County authorized to issue permits or licenses affecting the Use or occupancy of land or of a Building or Structure shall comply with the provisions of this Chapter. Where any action of referral or on an appeal is required by this Chapter, no permit or license involved shall be issued unless and until such action has been taken and the time within which any further appeal could have been taken has expired. Any permit or license hereafter issued for a Building, Structure, Use or occupancy contrary to the provisions of this Chapter shall be void and of no effect.
- 6 8-106.0 DUTY OF PLANNING COMMISSION. It is the duty of the Planning Commission to assure the proper administration of this Chapter, and the Commission shall have the power to establish from time to time such policies, rules and regulations not in conflict with this Code as are necessary for that purpose.
- 6 8-106.1 DUTY OF THE PLANNING DEPARTMENT. It is the duty of the Planning Department as the staff of the Planning Commission, to administer this Chapter and the Rules of the Planning Commission.
- 6 8-106.2 DUTY OF COUNTY OFFICERS. It is the duty of the Building Official, and of all other officials of the County concerned with any of the matters regulated by this Chapter to enforce it. For such purpose the Building Official shall have the powers of a police officer.
- 6 8-106.3 DUTY OF DISTRICT ATTORNEY. Any Building or Structure set up, erected, constructed, altered, enlarged, converted, moved or maintained contrary to this Chapter or any Use of any land, Building or premises established, conducted, operated or maintained contrary to this chapter is unlawful and is hereby declared to be a public nuisance and the District Attorney of the County shall, upon order of the Board of Supervisors, immediately commence action or proceedings for the abatement and removal and enjoin thereof in the manner provided by law and shall take such other steps and shall apply to the court or courts as may have jurisdiction to grant the relief which will abate and remove the building or structure, and restrain and enjoin any person, firm, or corporation from setting up, erecting, building, or maintaining or using the building or structure or any property contrary to the provisions of this Chapter.

- 6
9 8-107.0 VIOLATION A MISDEMEANOR. Any person, firm or corporation, whether as principal, agent, employee or otherwise, violating or causing or permitting the violation of any of the provisions of this Chapter is guilty of a misdemeanor. Such person, firm or corporation is guilty of a separate offense for each and every day during which any portion of which any violation of this Chapter is committed, continued or permitted by such person, firm or corporation.
- 6
9 8-107.1 PENALTY. The violation of any of the provisions of this Chapter is punishable by a fine of not more than five hundred (500) dollars or by imprisonment in the County jail for a term not exceeding six (6) months or both.
- 6
9 8-107.2 REMEDIES ARE CUMULATIVE. The remedies of this article shall be cumulative and not exclusive.
- 6
9 8-107.3 SEVERABILITY CLAUSE. If any provision of this Chapter, or the application thereof to any person or circumstances is held invalid, the remainder of this Chapter, or the application of such provisions to other persons or circumstances shall not be affected hereby.
- 6
9 8-108.0 REPEALING. All ordinances and parts of ordinances in conflict with the provisions of this Chapter are hereby repealed.

CHAPTER 2 OF TITLE 8 OF THE ALAMEDA COUNTY ORDINANCE CODE

PART II

(ENTIRE "QUARRIES...." ORDINANCE AMENDED BY ORDINANCE NO. 67-119)

Chapter 2 - Quarries and Sand and Gravel Pits

- Article 1 - Quarries and Sand and Gravel Pits Must
Conform to this Chapter
- Article 2 - Definitions
- Article 3 - Application for Permit: Form: Fees
- Article 4 - Investigation, Notice, Hearing and Findings
- Article 5 - Regulations
- Article 6 - Revocation or Suspension of Permit
- Article 7 - Reapplication for Permit
- Article 8 - Penalties
- Article 9 - Severability Clause
- Article 10 - Citation of Chapter

Article 1

Quarries and Sand and Gravel Pits
Must Conform to this Chapter

- 6 8-111.0 Quarries and sand and gravel pits must conform to this Chapter.
- 6 8-111.1 Application to existing quarries and sand and gravel pits.
- 6 8-111.2 Variance and use permits heretofore issued.
- 6 8-111.3 Exceptions.
- 6 8-111.4 Violation a misdemeanor.

Article 1

Quarries and Sand and Gravel Pits Must Conform to this Chapter

- 6 8-111.0 Quarries and sand and gravel pits must conform to this Chapter. It shall be unlawful for any person to operate or maintain, or cause to be operated or maintained, any quarry or sand and gravel pit in the County of Alameda, State of California, except in conformance with the provisions of this Chapter.

(Based on sec. 1, Ord. 181 N.S.)

- 6 8-111.1 Application to existing quarries and sand and gravel pits. Quarries or sand and gravel pits which are in existence, whether operative or inoperative, or whether operating with a use permit or without a use permit at the time of the enactment of this chapter, shall not operate from and after one hundred eighty (180) days following the adoption of this Chapter, unless, in the case of operative quarries or sand and gravel pits, or before recommencement of operations in the case of inoperative quarries or sand and gravel pits, a quarry or sand and gravel pit permit shall have been granted as provided herein.

(Based on sec. 1, Ord. 181 N.S.)

- 6 8-111.2 Variance and use permits heretofore issued. Any variance or use permit heretofore issued is null and void at the expiration of one hundred eighty (180) days following adoption of this Chapter.

(Based on sec. 1, Ord. 181 N.S.)

- 6 8-111.3 Exceptions. The following activities shall not be subject to the provisions of this Chapter applicable to quarries or sand and gravel pits:

(1) Removal in connection with the production of salt, removal of rock, sand, gravel, earth, stone or other mineral in county road or State highway rights-of-way or removal in public or private streets for which work has been authorized by the Board of Supervisors and which are in the process of becoming county roads.

(2) Removal of rock, sand, gravel, stone, earth or other mineral in connection with any creek, river or flood-control or storm-drainage channel for the purpose of enlarging the hydraulic capacity or changing the location or constructing a new channel

or storm drain where such work has been approved by the Alameda County Flood Control and Water Conservation District; or in connection with the work done by or under the direction of the Alameda County Flood Control and Water Conservation District or the Board of Supervisors of the County of Alameda.

(3) Removal of rock, sand, gravel, stone, earth or other mineral of not to exceed six hundred (600) cubic yards of material from any street, or from any one (1) building site after a permit has been secured from the County Building Official for the construction of a permanent structure on the same building site.

(Based on sec. 1, Ord. 181 N.S.)

(4) Grading within the boundaries of final Subdivision Maps prior to the acceptance of public improvements that does not involve the removal of material from within the boundaries of the Final Subdivision Map(s).

6 8-111.4 Violation a misdemeanor. Any person who operates or maintains, or causes to be operated or maintained, any quarry or sand and gravel pit which is not in conformance with the provisions of this Chapter is guilty of a misdemeanor.

(Based on sec. 1, Ord. 181 N.S.)

Article 2

Definitions

6	8-113.0	<u>Definitions.</u>
6	8-113.1	<u>Person.</u>
6	8-113.2	<u>Quarry.</u>
6	8-113.3	<u>Sand and gravel pit.</u>
6	8-113.4	<u>Mineral.</u>
6	8-113.5	<u>Overburden.</u>
6	8-113.6	<u>Substantially constructed.</u>
6	8-113.7	<u>County.</u>
6	8-113.8	<u>Planning Commission.</u>
6	8-113.9	<u>Board of Supervisors.</u>
6	8-113.10	<u>Stage operations.</u>

Article 2

Definitions

- 6 8-113.0 Definitions. The definitions contained in this article shall govern the construction of this Chapter, unless the context otherwise requires.

(Based on sec. 1, Ord. 181 N.S.)

- 6 8-113.1 Person. Person includes any person, firm, association, organization, partnership, business trust, joint venture, corporation or company and any officer or agency thereof.

(Based on sec. 1, Ord. 181 N.S.)

- 6 8-113.2 Quarry. Quarry is defined as a bank or open cut working and being premises other than sand and gravel pits, as hereinafter defined, from which rock, stone, earth or other mineral is removed or excavated for the purpose of disposition away from the immediate premises whether such disposition is immediate or in the future. It does not include shafts, tunnels, adits, or other underground workings, or any excavation not an integral part of mineral extraction.

(Based on sec. 1, Ord. 181 N.S.)

- 6 8-113.3 Sand and gravel pit. Sand and gravel pit is defined as premises from which sand, gravel, or other mineral is removed by excavation or otherwise without the use of explosives below the grade of surrounding land for the purpose of disposition away from the immediate premises whether such disposition is immediate or in the future.

(Based on sec. 1, Ord. 181 N.S.)

- 6 8-113.4 Mineral. Mineral is defined as any substance, organic or inorganic, found in nature as part of the earth, and has sufficient value away from its natural location to be mined, quarried, or dug for its own sake or for its own specific use.

(Based on sec. 1, Ord. 181 N.S.)

- 6 8-113.5 Overburden. Overburden is defined as that surface

material which overlies a body of useful mineral.

(Based on sec. 1, Ord. 181 N.S.)

- 6 8-113.6 Substantially constructed. Substantially constructed means construction of such strength, material, and workmanship that the object will withstand all reasonable shock, wear, usage, and deterioration it was designed to withstand.

(Based on sec. 1, Ord. 181 N.S.)

- 6 8-113.7 County. County is defined as the unincorporated area of the County of Alameda, State of California.

(Based on sec. 1, Ord. 181 N.S.)

- 6 8-113.8 Planning Commission. Planning Commission is defined as the Planning Commission of the County of Alameda, State of California.

(Based on sec. 1, Ord. 181 N.S.)

- 6 8-113.9 Board of Supervisors. Board of Supervisors is defined as the Board of Supervisors of the County of Alameda, State of California.

(Based on sec. 1, Ord. 181 N.S.)

- 6 8-113.10 Stage operations. A stage operation is defined as the working of a quarry or sand and gravel pit in sections, each section being a prescribed area within the limits of the whole of the area owned, leased, or otherwise under the control of a quarry or sand and gravel pit operator, and which whole area contains quarry or sand and gravel pit material, each section to be worked during the period of time specified by the Board of Supervisors.

(Based on sec. 1, Ord. 181 N.S.)

Article 3

Application for Permit:
Form: Fees

- 6 8-115.0 Permit shall be issued by Board of Supervisors.
- 6 8-115.1 Form of application.
- 6 8-115.2 Application fee.
- 6 8-115.3 Inspection fee.
- 6 8-115.4 Urgency variance in public interest: issuance by Building Official.
- 6 8-115.5 Application to Modify Permit.

Article 3

Application for Permit: Form: Fees

- 6 8-115.0 Permit shall be issued by Board of Supervisors. The Board of Supervisors shall consider any recommendation of the Planning Commission, may approve or disapprove any such recommendations, and shall determine whether a quarry or sand and gravel pit permit shall be issued in any case. If the Board of Supervisors so determines, it shall issue a quarry or sand and gravel pit permit as provided herein subject to such conditions as it may require in accordance with the terms of this Chapter. In considering any recommendation of the Planning Commission, the Board of Supervisors shall consider the record and such other evidence as the Board of Supervisors may desire to receive.

(Based on sec. 1, Ord. 181 N.S.)

- 6 8-115.1 Form of application. Application for a quarry or sand and gravel pit permit, permitted by this Chapter, shall be addressed to the Board of Supervisors and filed with the Planning Commission on forms provided by the Planning Commission. Such application shall be accompanied by a minimum of twelve (12) copies of the following data which shall include the following information, except as otherwise required by the Planning Commission:

(a) An accurate plot plan drawn and certified by a registered civil engineer or licensed land surveyor; defining the location and showing the exterior boundaries of the property on which the quarry or sand and gravel pit is or is proposed to be located; showing the boundaries of the area proposed to be excavated; showing the general locations of estimated stage operations and processing equipment; showing contours or elevations based upon mean sea level datum; and showing the location of any existing or proposed structures, stream channels, levees, drainage facilities, roads or other improvements on the property and within one hundred (100) feet outside of its exterior boundaries, except where a county road, city street, or state highway is a boundary.

(b) Cross sections through the quarry or sand and gravel pit, or proposed quarry or sand and gravel pit, shall be drawn and certified by a registered civil engineer or licensed land surveyor, sufficient to indicate the slopes of existing and proposed cut banks, grades and elevations. Such cross sections shall extend at least one hundred (100) feet beyond the exterior of the existing

or proposed excavations, except where a county road, city street or state highway is a boundary.

(c) A statement of the manner in which excavation is proposed to be conducted and materials are to be removed; a schedule of estimated stage operations showing the whole of the land proposed for development now or in the future; information as to the use of explosives, if any; and the kind of equipment proposed to be employed in excavating and removing material.

(d) A statement specifying the method to be employed in sorting, crushing, reducing, refining, or other proposed processing of materials to be excavated, and the types of machinery and equipment proposed to be used.

(e) A description of the route or routes to the nearest street or other public highway which the applicant proposes to use over private property in transporting such materials and in returning to the quarry or sand and gravel pit.

(f) A statement of the days of the week and hours of the day proposed for the operation of the quarry or sand and gravel pit, equipment or processing.

(g) A statement of the estimated time within which excavation thereof is to be commenced after the granting of the quarry or sand and gravel pit permit, and the time when said excavation is proposed to be completed.

(h) A statement describing the proposed treatment of the area of operation and of the haulage routes therein so as to reduce dust.

(i) A statement and drawings, prepared and certified by a registered civil engineer or licensed land surveyor, detailing the proposed final treatment of the quarry or sand and gravel pit area, including landscaping, erosion control measure, replacement of topsoil and backfilling.

(j) A statement and drawings detailing proposed sanitary facilities and their connection, if any, with sanitary sewer lines.

(k) Such other information pertinent to the application as will fully acquaint the Planning Commission with the nature of the proposed quarry or sand and gravel pit, its operations and its locality.

(Based on sec. 1, Ord. 181 N.S.)

and gravel pit permit as established by Resolution by the Board of Supervisors shall accompany the application for a quarry or sand and gravel pit permit.

(Based on sec. 1, Ord. 181 N.S.; amended by sec. 2, Ord. 74-16)

- 6 8-115.3 Inspection fee. In addition to the application fee provided for in Section 8-115.2, the permittee shall, upon determination by the Planning Commission and approval thereof by the Board of Supervisors of failure to comply with this Chapter or with any regulations or conditions specified in the quarry or sand and gravel pit permit, pay to the County the actual cost of inspections of the quarry or sand and gravel pit at prevailing wage rates as determined by the Board of Supervisors. Such inspections shall be made as directed by the Board of Supervisors and shall include surveying if and as necessary.

(Based on sec. 1, Ord. 181 N.S.)

- 6 8-115.4 Urgency variance in public interest: issuance by Building Official. The Alameda County Building Official may vary the terms of any quarry or sand and gravel pit permit heretofore granted and in effect, where there is neither time nor opportunity for such variance to be granted by the Board of Supervisors and subject to the following further limitations, to wit:

(a) The variance shall be effective for not more than three (3) days, as specified by the building official,

(b) The variance shall apply only to times and days of operation,

(c) The variance shall apply only to such quarry or sand and gravel operations as form the basis for granting of the variance,

(d) The variance shall not be granted unless the permittee makes application and shows thereon, as basis, that the provisions of the ordinance and/or conditions of his permit should be varied in the public interest.

(Based on sec. 1, Ord. 538 N.S.)

- 6 8-115.5 Application to Modify Permit. Applications to modify the terms and conditions of a Quarry or Sand and Gravel Permit shall be in accordance with the provision of this Section. Applications to expand the land area affected by any existing permit shall be in accordance with Article 3 of this Part.
- a. Application shall be in letter or plan form sufficient to accurately and completely describe the modification requested.
 - b. Application shall be accompanied by an application fee for modification of a Quarry or Sand and Gravel Pit Permit as established by Resolution by the Board of Supervisors.
 - c. At least one hearing shall be held by the Planning Commission, following notice required by Section 8-101.0 of Part 1 of this Chapter.
 - d. At the conclusion of the Planning Commission hearing, a recommendation shall be made to the Board of Supervisors on the requested modification in consideration of the findings contained in Sections 8-117.2 and 8-119.1 of this Part.
 - e. In considering any recommendation of the Planning Commission, the Board of Supervisors shall consider the record and such other evidence as the Board of Supervisors may desire to review.
 - f. At the conclusion of the Board of Supervisors hearing, the requested modification may be approved subject to such conditions as it may require in accordance with the terms of this Chapter or the requested modification may be denied.

(Based on sec. 1, Ord. 75-103)

Article 4

Investigation, Notice, Hearing
and Findings

- 6 8-117.0 Investigation.
- 6 8-117.1 Hearing.
- 6 8-117.2 Findings.
- 6 8-117.3 Conditions and Bonds.

Article 4

Investigation, Notice, Hearing and Findings

- 6 8-117.0 Investigation. The Planning Commission, upon receipt of an application in the form herein provided and upon payment of the application fee, shall make such investigations as are necessary to determine whether or not the quarry or sand and gravel pit, or proposed quarry or sand and gravel pit, conforms or will conform fully to the regulations herein set forth, with the terms of other County ordinances pertaining to land use or to operation of quarries or sand and gravel pits, and conforms to the conditions of any quarry or sand and gravel pit permit which previously may have been granted for the quarry or sand and gravel pit, or the proposed quarry or sand and gravel pit operation. The Planning Commission shall forthwith transmit two (2) copies of such application and accompanying data to the County Surveyor, the County Building Official, the Alameda County Flood Control and Water Conservation District, and County Health Officer, and the Regional Water Pollution Control Board, for their reports and recommendations.

(Based on sec. 1, Ord. 181 N.S.)

- 6 8-117.1 Hearing. The Planning Commission may hold such hearings as it deems necessary, notice of which shall be given at least ten (10) days prior to such hearing by publication in a newspaper of general circulation in the County and by posting copies of such notice in at least six (6) public places around the quarry or sand and gravel pit site.

(Based on sec. 1, Ord. 181 N.S.)

- 6 8-117.2 Findings. At the conclusion of such investigation and any hearings deemed necessary, the Planning Commission shall make specific findings as to the following:

(a) Whether the proposed quarry or sand and gravel pit materially affects adversely the Master Plan of the County.

(b) Whether the proposed quarry or sand and gravel pit is or may become dangerous or detrimental to the public health, safety, comfort, convenience, or the general welfare.

(c) Whether the proposed quarry or sand and gravel pit is or may become objectionable to persons or property by reason

of the production of noise, odor, smoke, dust, bright lights, vibration or flooding.

If the Planning Commission finds in the negative as to the three (3) foregoing determinations, it may recommend the issuance of a quarry or sand and gravel pit permit. If the Planning Commission finds in the affirmative as to any of the three (3) foregoing determinations, and if the Commission further finds that it is not possible to regulate the operation of the quarry or sand and gravel pit so as to protect the public health, safety, comfort and general welfare of persons residing in the area of operation of the quarry or sand and gravel pit, then it may recommend the denial of the application.

(Based on sec. 1, Ord. 181 N.S.)

- 6 8-117.3 Conditions and Bonds. The Planning Commission in recommending the issuance of a quarry or sand and gravel pit permit shall specify such conditions as it deems necessary to ensure the protection of persons or property and to ensure that the operation of the quarry or sand and gravel pit will not adversely affect the character of the area in which the quarry or sand and gravel pit is or will be located. The Planning Commission may recommend such performance bonds or other guarantees as it deems necessary to ensure compliance with the regulations herein set forth and any conditions imposed in the granting of the quarry or sand and gravel pit permit.

(Based on sec. 1, Ord. 181 N.S.)

Article 5

Regulations

6	8-119.0	<u>Regulations.</u>
6	8-119.1	<u>Processing.</u>

Article 5

Regulations

- 6 8-119.0 Regulations. Quarries and sand and gravel pits shall be operated and maintained subject to the following requirements:

(a) Excavation:

(1) Unless otherwise permitted by the Board of Supervisors, final slopes shall not exceed the normal angle of repose of the excavated natural materials, nor shall the final cut slope of the natural material be steeper than one (1) foot horizontal to one (1) foot vertical.

(2) Unless otherwise permitted by the Board of Supervisors, temporary operating cut slopes steeper than one (1) foot horizontal to one (1) foot vertical shall in no case be brought closer to an exterior property line than the sum of twenty-five (25) feet plus the estimated depth of cut; nor closer to the bank of any stream channel than the sum of one hundred (100) feet plus the estimated depth of cut; nor closer to the right-of-way line of any street, road, way or alley, as existing, approved or conditionally approved by the Board of Supervisors, than the sum of fifty (50) feet plus the estimated depth of cut.

(3) No explosives shall be used except at such times as permitted by the Board of Supervisors.

(b) Fencing. Quarries or sand and gravel pits shall be enclosed by a substantially constructed fence where and as specified by the Planning Commission. Such fence, when required, shall be not closer than ten (10) feet to the top edge of any exterior cut slope.

(c) Drainage of Premises. The finished excavation shall be graded, where possible, in such a manner as to prevent the accumulation of storm waters or natural seepage.

(d) Refilling, Erosion Control and Screen Planting:

(1) If, in the opinion of the Board of Supervisors, it is deemed necessary, in order to eliminate dangerous portions of pits or shafts, quarry and sand and gravel pit excavations may be required to be refilled to eliminate such conditions. Material used in refilling excavations shall be of such quality as may be determined suitable by the Board of Supervisors in order to prevent contamination and pollution of ground water either during the quarry or sand and gravel pit operation or subsequent to the abandonment of said quarry or sand and gravel pit operation.

(2) Dikes or other barriers and drainage structures shall be provided, when required by the Planning Commission, to prevent silting of natural drainage channels or storm drains in the area surrounding the quarry or sand and gravel pit.

(3) Where required by the Board of Supervisors, final cut slopes shall be treated to prevent erosion; topsoil shall be replaced on such slopes to support vegetation; ground cover shall be planted within twelve (12) months after a cut slope is excavated to its final position; and such ground cover shall be maintained for a period of time sufficient to provide vegetation of a density that will prevent erosion.

(4) Where required by the Board of Supervisors, suitable plant material shall be placed and maintained to screen cut slopes from public view.

(e) Maintenance and Operation:

(1) Quarries and sand and gravel pits shall be maintained at all times in a neat and orderly manner.

(2) Quarries and sand and gravel pits shall be operated so as to reduce dust and noise to a minimum; haulage roads shall be maintained in a dust free condition; and access roads shall be maintained as dust-free surfaces at least twenty-two (22) feet wide from the public street to within one hundred (100) feet of the loading point within the quarry or sand and gravel pit.

(3) Vehicles carrying materials from quarries or sand and gravel pits shall be loaded in such manner as to prevent spilling rock, gravel, sand or other materials of a mineral nature

while in transit upon roads and highways.

(4) Quarry or sand and gravel pit excavations which may penetrate near or into a usable water bearing stratum shall be conducted in such a manner that any such stratum so approached or encountered will not be subject to pollution or contamination either during quarrying operations or the excavation of a sand and gravel pit or subsequent to the abandonment of said quarry or sand and gravel pit.

(5) Adequate provision shall be made for the protection of quarry sites or sand and gravel pits from overflow from adjacent streams, by the construction of levees or other devices to prevent flooding of such quarry sites or sand and gravel pits and lands beyond. No obstruction shall be placed in stream channels without the obtaining of a permit to place such obstruction from the Alameda County Flood Control and Water Conservation District.

(6) Nothing herein shall be construed to prevent the use of quarry sites or sand and gravel pits for the conservation of water, the storage of water, or for the control of flood or storm waters by a public agency duly authorized to engage in such work and after the obtaining of authorization from the Alameda County Flood Control and Water Conservation District, and the owner of such property, to use such quarry site or sand and gravel pit for the conservation of water, the storage of water, or the control of flood or storm waters.

(Based on sec. 1, Ord. 181 N.S.)

- 6 8-119.1 Processing. Sorting, crushing, reducing, refining or other processing of rock, sand, gravel, stone, earth, or other mineral or the operation of an asphalt or concrete batch plant may be permitted in an A-2, M-1, M-2 or U District as such districts are defined by Chapter 2, Title 8 of this Code, upon the securing of a Quarry or Sand and Gravel Pit Permit when such uses shall be deemed by the Board of Supervisors to be necessary and/or incidental to the operation of a Quarry or Sand and Gravel Pit on the same site and not objectionable by reason of the production of noise, odor, smoke, dust, bright lights, or vibration.

(Based on sec. 1, Ord. 181 N.S., amended by sec. 2, Ord. 75-103)

Article 6

Revocation or Suspension of
Permit

- 6 8-121.0 Revocation or suspension of permit.
- 6 8-121.1 Alternative manner of revocation or suspension of permit.
- 6 8-121.2 Cessation of operation.

Article 6

Revocation or Suspension of Permit

6 8-121.0 Revocation or suspension of permit. Any quarry or sand and gravel pit permit granted under the provisions, of this article shall be subject to revocation or suspension by the Board of Supervisors upon recommendation by the Planning Commission, for cause, and in the following manner:

(a) The matter of revocation or suspension shall be set for a public hearing not less than ten (10) days nor more than thirty (30) days thereafter, notice of which shall be posted on said property and a copy thereof shall be served upon the permittee, either personally or by certified mail to his last known address, not less than ten (10) days prior to the said hearing, which said notice shall specify wherein the permittee has failed to comply with this article or conditions specified in the quarry or sand and gravel pit permit and shall require him to appear at said hearing on the date and hour specified, at which time evidence both for and against the revocation of said permit may be offered and shall be considered by the said Commission.

(b) Upon the date set for hearing, the Planning Commission shall hear all charges against said permittee, unless for cause the Planning Commission shall on that date continue said hearing. No notice of continuance need be given if the order therefor be publicly announced at the time for which the hearing is set. At the hearing the permittee shall have the right to appear in person or by counsel and to introduce evidence in opposition to such revocation or suspension.

(c) After said hearing, the Planning Commission shall immediately report in writing to the Board of Supervisors that it has held the hearing; said report shall contain a statement of any and all findings and recommendations made by said Commission. If said report contains a recommendation to revoke or suspend said quarry or sand and gravel pit permit, the Board of Supervisors may act immediately thereon and order such revocation or suspension. If said report contains a recommendation to revoke or suspend said quarry or sand and gravel pit permit, the Planning Commission shall immediately deliver to the holder of said permit, by certified mail or personal service, a copy of said recommendation together with notice that the Board of Supervisors may act immediately thereon

and order such revocation or suspension at the time and place of its next regular meeting without further notice or hearing. However, the Board of Supervisors shall have reserved to it, at all times, the right to hear the matter de novo and take such action thereafter as in its discretion it deems to be in the public interest; any such hearing de novo shall be noticed and heard in the manner provided by subsections (a) and (b) of 8-121.1. Nothing contained in this section shall be construed as preventing the Board of Supervisors from proceeding under Section 8-121.1.

(Based on sec. 1, Ord. 181 N.S.; Subdivision (c) added by sec. 2, Ord. 538 N.S.; Amended by sec. 1, Ord. 785 N.S.)

6

8-121.1 Alternative manner of revocation or suspension of permit. Any quarry or sand and gravel pit permit granted under the provisions of this article shall be subject to revocation or suspension by the Board of Supervisors for cause, and in the following manner:

(a) The matter of revocation or suspension shall be set for a public hearing not less than ten (10) days nor more than thirty (30) days thereafter, notice of which shall be posted on said property and a copy thereof shall be served upon the permittee, either personally or by certified mail to his last known address, not less than ten (10) days prior to the said hearing, which said notice shall specify wherein the permittee has failed to comply with this article or conditions specified in the quarry or sand and gravel pit permit, and shall require him to appear at said hearing on the date and hour specified, at which time evidence both for and against the revocation or suspension of said permit may be offered and shall be considered by the said Board of Supervisors.

(b) Upon the date set for hearing, the Board of Supervisors shall hear all charges against said permittee unless for cause the Board of Supervisors shall on that date continue said hearing. No notice of continuance need be given if the order therefor be publicly announced at the time for which the hearing is set. At the hearing the permittee shall have the right to appear in person or by counsel and to introduce evidence in opposition to such revocation or suspension.

(c) After said hearing if, in the opinion of the Board of Supervisors, the permittee has violated any of the regulations set forth in this article or any condition imposed in the granting of his quarry or sand and gravel pit permit, the Board of Supervisors may revoke or suspend said quarry or sand and gravel pit permit.

(Based on sec. 3, Ord. 538 N.S.; Amended by sec. 2, Ord. 785 N.S.)

6

8-121.2 Cessation of operation. In the event the operation of

the quarry or sand and gravel pit voluntarily ceases for a continuous period of more than one hundred eighty (180) days then and in that event the quarry or sand and gravel pit permit shall be null and void and the operation of said quarry or sand and gravel pit shall not be recommenced until a new permit is obtained as provided in this chapter.

(Based on sec. 1, Ord. 181 N.S.)

Article 7

Reapplication for Permit

6 8-123.0 Reapplication for permit.

Article 7

Reapplication for Permit

- 6 8-123.0 Reapplication for permit. No application for a quarry or sand and gravel pit permit, which has been denied in whole or in part by the Board of Supervisors, shall be resubmitted for a period of one (1) year from the date of denial, except upon grounds of new evidence or changed conditions determined by the Board of Supervisors to be valid.

(Based on sec. 1, Ord. 181 N.S.)

Article 8

Penalties

6	8-125.0	<u>Penalties.</u>
6	8-125.1	<u>Each violation a separate offense.</u>
6	8-125.2	<u>Duty of Building Official.</u>

Article 8

Penalties

- 6 8-125.0 Penalties. Any person convicted of a misdemeanor under the provisions of this Chapter shall be punished by a fine not exceeding \$500.00, or by imprisonment in the county jail not exceeding six (6) months, or by both.

(Based on sec. 1, Ord. 181 N.S.)

- 6 8-125.1 Each violation a separate offense. Each person violating or contributing in any way to the violation of any of the provisions of this ordinance shall be deemed guilty of a separate offense for each day during which such violation continues, and such violation shall be deemed to be a misdemeanor and shall be punishable therefor as herein provided.

(Based on sec. 1, Ord. 181 N.S.)

- 6 8-125.2 Duty of Building Official. It is the duty of the Building Official of Alameda County to enforce the provisions of this Chapter. For such purpose he shall have the powers of a police officer.

(Based on sec. 4, Ord. 469 N.S.)

Article 9

Severability Clause

6 8-127.0 Severability clause.

Article 9

Severability Clause

- 6 8-127.0 Severability clause. If any provision of this Chapter, or the application thereof to any person or circumstance, is held invalid, the remainder of this Chapter, or the application of such provisions to other persons or circumstances shall not be affected thereby.

(Based on sec. 1, Ord. 181 N.S.)

Article 10

Citation of Chapter

6 8-129.0 Citation of Chapter.

Article 10

Citation of Chapter

- 6 8-129.0 Citation of Chapter. This Chapter may be referred to and cited as the Alameda County Quarry Ordinance.

(Based on sec. 1, Ord. 181 N.S.)

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